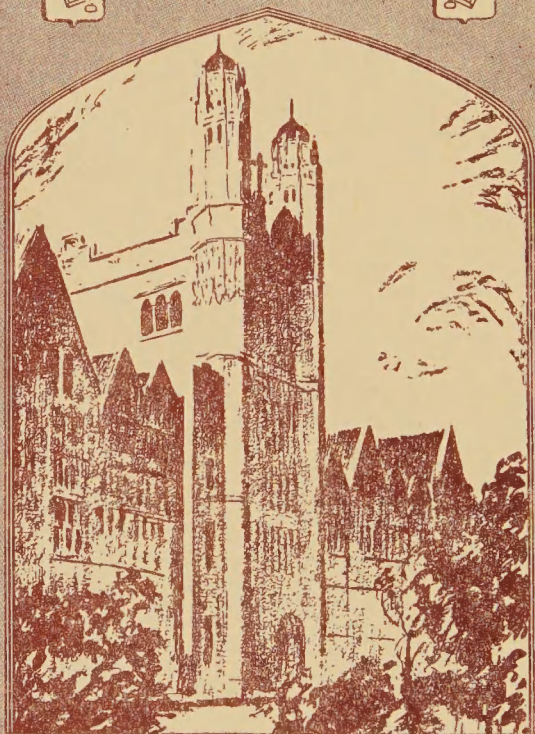


HISTORICAL RECORDS AND STUDIES

UNITED STATES CATHOLIC HISTORICAL SOCIETY

Marygrove


EX LIBRIS



282-73

U3

v. 39-4



Digitized by the Internet Archive
in 2020 with funding from
Kahle/Austin Foundation

UNITED STATES CATHOLIC HISTORICAL SOCIETY

Historical Records and Studies

Volume XXXIX-XL

JOHN J. MENG

Editor

NEW YORK
THE UNITED STATES CATHOLIC
HISTORICAL SOCIETY

1952

Copyright 1952
THE UNITED STATES CATHOLIC
HISTORICAL SOCIETY

PUBLICATIONS COMMITTEE

JOHN J. MENG, PH.D.
Editor of Publications

A. PAUL LEVACK, PH.D.

RICHARD REID, LITT.D.

OFFICE OF
THE EXECUTIVE SECRETARY OF THE SOCIETY
SUITE 103
924 WEST END AVENUE, NEW YORK 25, NEW YORK

CONTENTS

	Page
The Annual Meeting, 1950	1
Cardinal Gibbons and New York	5
<i>By the Reverend John Tracy Ellis, Ph.D.</i>	
The Catholic Minority in the United States, 1789-1821	33
<i>By the Reverend Thomas T. McAvoy, C.S.C., Ph.D.</i>	
The Government of the Catholic Church	
I. The Form and Functions of Church Government ..	51
II. Local, National, and Supra-National Elements in Church Government	75
III. The Church As A World Society	99
<i>By Elizabeth M. Lynskey, Ph.D.</i>	
The Archdiocese of New York A Century Ago: A Memoir of Archbishop Hughes, 1838-1858	129
<i>Edited by the Reverend Henry J. Browne, Ph.D.</i>	
By-Laws of the Society, as Amended 1950	191
List of Officers, Directors, and Members	194

CATHOLIC HISTORICAL RECORDS AND STUDIES

THE ANNUAL MEETING, 1950

THE sixty-fifth anniversary meeting of the Society took place in the Tapestry Room of the Park Lane Hotel, New York City, on Tuesday, December 5, 1950, at 8:30 P.M. This meeting was notable for a number of reasons. It marked the anniversary of the Society; it commemorated the centenary of the Archdiocese of New York; and it took positive action of great importance for the future of the Society itself.

One hundred years earlier, on July 19, 1850, Pope Pius IX, acceding to a request of the Seventh Provincial Council of Baltimore, raised the diocese of New York to the dignity of a metropolitan see, with suffragan sees in Boston, Hartford, Albany, and Buffalo. Similar action was taken at the same time with respect to the sees of New Orleans and Cincinnati. A flood of Catholic immigrants from Ireland and Central Europe was currently putting great strain upon the organizational facilities of the Church in the United States. This designation of three new metropolitan sees, as well as the concurrent establishment of a number of new dioceses, marked an important milestone in the development of the Catholic minority and its impact on American life. The subject of the principal address delivered at this meeting by Father McAvoy provided some of the historical background for these significant mid-nineteenth-century advances of the Church in this country.

The early part of the evening's program, as required under the Society's By-Laws governing the Annual Public Meeting, was devoted to a brief business session. The Society's President, Dr. John J. Meng, supplied a summary of the year's business as conducted by the officers and directors.

Next was introduced a proposal to amend the Society's By-Laws in accord with a plan previously approved by the Executive

Council. The original By-Laws of the Society were adopted in 1885 under authority of the Act of Incorporation of the same year. These By-Laws were subsequently amended in 1899 and again in 1947. By 1949 it had become evident to the officers and directors that still further alterations were needed. A special committee consisting of Mr. George B. Fargis, chairman, Dr. Paul Levack, and Dr. Meng, serving *ex officio*, was appointed to study the needs of the Society in this respect and to recommend to the Executive Council the action to be taken. This committee submitted their recommendations in the fall of 1950. They proposed a simplification and complete re-statement of the By-Laws, and submitted the draft of such a revision. Their draft retained the pertinent sections of the original By-Laws, omitted sections no longer applicable to the Society's existing structure and functions, and included certain new portions designed to provide more efficiency in operation. This draft was given detailed and careful scrutiny by the Executive Council. Some further changes were made, and the proposal as a whole was adopted. The text of the proposed new By-Laws was next submitted to the full membership of the Society for study prior to this Annual Meeting. Final adoption was dependent on acceptance by a "two-thirds vote of the members present at the annual meeting." This somewhat involved process of constitutional change was completed at the meeting by unanimous approval of the alterations suggested. The resulting form of the Society's By-Laws is printed at the end of this volume.

The one remaining item of business after the adoption of the By-Laws was presentation of and action upon the report of the Nominating Committee. This committee consisted of the Reverend Joseph N. Moody, chairman, the Reverends John H. Harrington and Thomas J. Kelly, and Mr. F. Sadlier Dinger. Dr. Moody presented the report.

The committee recommended the election of the following officers: Honorary President, His Eminence Francis Cardinal Spellman; President, Leo R. Ryan, Ph.D.; Vice-President, A. Paul Levack, Ph.D.; Treasurer, Charles H. Ridder; Secretary, George B. Fargis; Editor of Publications, John J. Meng, Ph.D. As directors, for three-year terms, the committee proposed the

names of Arthur F. J. Remy, Ph.D., Joseph C. Driscoll, John J. Meng, Ph.D., and the Right Reverend Thomas J. McMahon, S.T.D. As director to fill the unexpired term of Dr. Levack, the committee suggested the name of the Reverend Joseph H. Brady, D.D., Ph.D. A request from the chair for further nominations resulted in the passage of a motion instructing the Secretary to cast one ballot for the list of names proposed by the Nominating Committee. This action concluded the business meeting.

In opening the main portion of the program, Dr. Meng presented to the audience the people on the platform: His Eminence, Francis Cardinal Spellman, Honorary President of the Society; His Excellency, the Most Reverend Eric O'Brien, auxiliary bishop of Sidney, Australia, and adviser to the Australian delegation to the United Nations General Assembly; and the Reverend Thomas T. McAvoy, C.S.C., Ph.D., head of the Department of History in the University of Notre Dame.

Dr. McAvoy, the principal speaker of the evening, was introduced as one of the outstanding Catholic Church historians in the United States. The Notre Dame Archives, thanks to his supervision over a period of more than twenty years, has become one of the richest collections of source materials on the American Catholic Church. Father MacAvoy holds a doctorate from Columbia University and is one of the founding members of the Society of American Archivists. He is the author of *The Catholic Church in Indiana, 1789-1934*, and of numerous articles in professional journals. He is Managing Editor of *The Review of Politics* and Advisory Editor of *The Catholic Historical Review*. The subject of his address, "The Catholic Minority in the United States, 1789-1821," stemmed from his recent researches into the general history of the Catholic minority in this country. The text of his talk is printed elsewhere in this volume.

At the conclusion of Dr. McAvoy's address, Bishop O'Brien, himself a well-known Australian historian, spoke briefly about the state of church history studies in Australia. Cardinal Spellman, in his usual witty and cordial fashion, then complimented the Society on its sixty-fifth anniversary and talked at some length

about the possibilities for future contributions of the organization to the advancement of church history studies in America.

The meeting closed after the retiring President turned over the chair to the newly-elected presiding officer, Dr. Leo R. Ryan. This action marked also the formal inauguration of the new By-Laws. Some two hundred members of the Society and their guests were in attendance.

A NOTE ON THIS VOLUME

A thorough reorganization of the Society and of its publishing schedule has necessitated the publication of this double volume of the HISTORICAL RECORDS AND STUDIES in place of the two separate volumes which would normally have come to our members during 1950 and 1951. Members will note that the materials in this volume are equivalent to those which would usually be found in two annual editions. This issue, being a double volume, has been given a double number: XXXIX-XL. Issues of the HISTORICAL RECORDS AND STUDIES will hereafter be published annually, as they have been in the past.

CARDINAL GIBBONS AND NEW YORK*

BY JOHN TRACY ELLIS

It was with genuine pleasure that I accepted the invitation of your President, Professor Meng, to lecture to you this evening on the subject of Cardinal Gibbons and New York. I have been a member of your society for the past seven years but until today I have not had an opportunity to attend any of your meetings. For a less personal reason I am happy to be here and to associate myself with your activities since the continued growth and success of the American Catholic Historical Association, of which I have the honor to be secretary, are in no small measure dependent upon the interest and enthusiasm for American Catholic history which groups like your own have done so much to sustain. I am fully aware of the fact that for thirty-five years before the American Catholic Historical Association was born your society had been carrying on its important work for the preservation of the sources of our Catholic past and the enkindling of interest in American Catholic history among all those who came in contact with its meetings and publications. It will be sixty-five years this December 9 since the little band of men gathered at the New York Catholic Protectory on the call of John Gilmary Shea and Richard H. Clarke to found this society, and during the next three and a half decades no Catholic group anywhere in the United States, with the single exception of Philadelphia, did as much to awaken an interest in the Catholic history of our nation, to preserve its sources, and to highlight the Catholic contribution to the American story than did the United States Catholic Historical Society of New York. For all of this pioneer effort and for the manner in which you have carried on the aims of your founders we of the American Catholic Historical Association are sincerely grateful and it is a very agreeable duty for me to take this occasion to voice that gratitude.

*This paper was read at the Annual Public Meeting of the Society, held at the Park Lane Hotel, New York City, on October 25, 1949. Dr. Ellis is Professor of American Church History in the Catholic University of America, Washington, D.C.

As your President has said I have been engaged now for a period of over four years in assembling the materials and in writing what, it is to be hoped, may be the definitive biography of a man who is generally regarded as the Catholic citizen whose influence permeated more deeply the stream of American national life than any other member of our Church. It was in Easter week, 1945, that I received the permission of the late Archbishop Curley to begin the life of his distinguished predecessor in the See of Baltimore. Because of my duties in the University it has not been possible, of course, to work steadily on the project. But by the end of the third year I had completed the gathering of the materials and in May, 1948, I began the writing. I have now reached the end of the first volume with a manuscript of 860 typed pages which carries the story of Cardinal Gibbons' life down to the great controversy over Americanism at the end of the nineteenth century. With good fortune I hope during the next two years to complete the second volume which will be of about equal length. That will mean six years in all on the work, but when one considers the unique position which Gibbons occupied in the United States of his time, and the fact that he lived his crowded and eventful life through a period of just four months short of eighty-seven years—it will not, I trust, seem excessive to spend so long a time in writing his biography. I confess there have been moments of discouragement when I have felt that I should never reach my goal, but at times like these I have taken renewed hope in recalling that Wilfrid Ward's *Life of John Henry Cardinal Newman* proved the most difficult of all his many books and absorbed "seven years of unremitting toil" before it was brought to completion in 1912.¹

But I have not come here to outline for you the problems involved in the writing of the Gibbons' biography. Rather I have chosen to speak to you on the subject of some of the cardinal's connections with your own city of New York. You will appreciate, I am sure, that in the time at my disposal I can give only a few passing impressions culled from the manuscripts I have exam-

¹Josephine and Mazie Ward (Eds.), *Last Lectures of Wilfrid Ward* (New York, 1918), xx.

ined in various archives and from the few items to be found in print. It is in no sense a definitive story of every phase of the relations of Cardinal Gibbons to New York, but it will, I hope, give you some enduring impressions of the interesting contacts which the Cardinal of Baltimore had with persons and events which have gone to make up the Catholic history of your city. In telling this simple story I shall try to be loyal to the historian's regard for the truth, for as Pope Leo XIII, in paraphrasing Cicero (*De oratore*, II, XV, 62), wrote nearly seventy years ago in his famous Letter on Historical Studies of August 1, 1883, the historian must always bear this rule in mind, "that the first law of history is, not to dare to utter falsehood; the second, not to fear to speak the truth; and moreover, no room must be left for suspicion of partiality or prejudice."

Your society was not more than a few years old when Cardinal Gibbons enrolled himself as a life member. He was always a keen student of history and it was from the reading of the history of the Church and of the United States that Gibbons derived some of his most profitable and enjoyable instruction. His interest, of course, was widely known and in May of 1888 Marc F. Vallette, secretary of this society, wrote the cardinal to invite him to read a paper before the public meeting scheduled for the spring of that year. Vallette said:

I am . . . directed to represent to Your Eminence the fact that the compliment done us by your compliance with our request will be all the more gratefully appreciated as it will be Your Eminence's first appearance (for a long time at least,) before a New York audience. Your presence and the well known interest Your Eminence takes in American history, will give a new impetus to our work and awaken an interest in it that will be most advantageous to us in many ways.²

Although the cardinal was not able to accept the invitation to address the society just at this time, he responded three years later and at the meeting on May 25, 1891, there was read a paper of

²Archives of the Archdiocese of Baltimore, 84-K-7, Vallette to Gibbons, New York, May 9, 1888. Hereafter the correspondence from this archives will be designated solely by the individual document's archival number.

Gibbons' entitled, "Reminiscences of North Carolina," a subject which he said had been suggested to him by John Gilmary Shea and which he hoped would interest, as he expressed it, "your admirable Society. . . ." ³ As Shea announced on that May evening of 1891 the cardinal would have been present personally had he not been "prevented by suddenly imposed duties from attending. . . ." In his absence the paper was read by Father James J. Dougherty, director of the Home of the Immaculate Virgin here in New York. ⁴

But Gibbons had already shown in an even more practical way the interest he had in the welfare of American Catholic history. Six years before his paper on North Carolina was read a project had been launched to lend support to the researches of John Gilmary Shea, who may in every sense be considered as the founder of your society. At an informal meeting in the winter of 1885 which was attended by Archbishop Michael A. Corrigan, Bishops John Ireland and John Lancaster Spalding, and Father Arthur J. Donnelly, pastor of St. Michael's Church in West 34th Street, it was decided to inaugurate a plan whereby Shea could secure financial backing for the writing of a general history of the American Church. Donnelly, writing in the name of the prelates, informed Gibbons of their intention and solicited his pledge to give \$50.00 a year for five consecutive years to compensate Shea for his labors and to cover all incidental expenses that he might incur. ⁵ The Archbishop of Baltimore gladly signed his name to the list of patrons, for which he earned the deep gratitude of the historian. Shea told him:

The encouragement and aid which you have so generously accorded to my projected history of the Church, in response to the action of the Committee places (me) under new and increased obligations. . . .

To Your Grace in an especial manner, I consider my obligation extreme, as your name comes with all the historic weight of our most ancient See. ⁶

³"Reminiscences of North Carolina," by James Cardinal Gibbons, *United States Catholic Historical Magazine*, III (1890-91), 337.

⁴*Ibid.*, III, 427-428.

⁵79-D-1, Donnelly to Gibbons, New York, February 1, 1885.

⁶79-K-1, Shea to Gibbons, Elizabeth, New Jersey, May 1, 1885.

Not only did Gibbons give his financial assistance to the work of Shea but when the historian sought admittance to the archives of the Archdiocese of Baltimore the archbishop responded promptly and told him that whenever he was free to visit Baltimore he would be happy, as he expressed it, "to give you free access to the archives." He invited Shea to be his guest during his stay, hoped he would be at home during a part of the scholar's sojourn in Baltimore, and ended by saying, "I will gladly help you in your work in every way in my power."⁷ Gibbons followed closely the progress of Shea's monumental history and when the third volume reached him he sent off an additional check to help cover the expenses and he told the author:

I have already read with deep interest a good part of the book. I admire the freedom & the tact with which you have written of the evil consequences of sending Bishops to this country without the concurrence of the American Episcopate.⁸

The initiative, therefore, that gave to us the great four-volume *History of the Catholic Church in the United States* by John Gilmary Shea was taken by the committee headed by Archbishop Corrigan with Father Donnelly acting as secretary. It was so prodigious an undertaking that it could never have been accomplished by Shea on his own. For the inauguration of the plan that made it possible all students of the American Church are indebted to the Archbishop of New York and his associates, and to patrons like Cardinal Gibbons who so promptly agreed to underwrite its support. It is pleasant to recall here that this generous and enlightened patronage of American Catholic history shown by an Archbishop of New York and his contemporaries nearly seventy years ago is being continued today by the third successor of Archbishop Corrigan in the See of New York. His Eminence, Cardinal Spellman, has manifested his intention to perpetuate the tradition of his predecessor by designating Father Henry J. Browne, a priest of the Archdiocese of New York and a member

⁷19-N-4, Shea to Gibbons, Elizabeth, June 20, 1885. Archives of the American Catholic Historical Society of Philadelphia, Shea Papers, Gibbons to Shea, Baltimore, June 23, 1885.

⁸*Ibid.*, Gibbons to Shea, Baltimore, February 12, 1891.

of our own University faculty, to write the life of Archbishop Hughes. We of the University are proud to have the biography of as important a personality as John Hughes written on our campus by one who is so competent and well qualified for the task. It is no exaggeration to say that there was no more commanding figure in the American Catholic history of the first half of the nineteenth century than Archbishop Hughes of New York. We are grateful as well to His Eminence for giving us Father Browne's services to act as the archivist of the University and instructor in American history while he pursues his research on the Hughes biography.

The compliment which Gibbons paid to Shea for the open manner in which he treated what the cardinal regarded as an evil in sending European bishops to rule over American sees in the early years of the nineteenth century was sincerely meant. In a chapter entitled, "The Study of Men and the Times," which Gibbons included in his volume, *The Ambassador of Christ*, he gave what might be called his philosophy of history. He had a strong predilection for the straightforward and honest telling of the Church's story, and in discussing the candor which should characterize the historian's art he cited a remark made by Leo XIII to Cardinal Manning in which the Pope had said: "It has been too much the fashion in writing history, to omit what is unpleasant. If the historians of the last century had written the Gospels, for example, we might never have heard of the fall of Peter, or of the treachery of Judas."⁹ The cardinal felt that of recent years the spirit of scientific history had gained ground and he was glad of it. As he wrote:

The public man, whether churchman or layman, who has never committed an error of judgment, or who was never betrayed into any moral delinquency, will hardly ever be credited with any great words or deeds worthy of being transmitted to posterity.¹⁰

And in quoting with approval the words of Cromwell to his

⁹Quoted in *The Ambassador of Christ* (Baltimore, 1896), 252.

¹⁰*Ibid.*, 253.

portrait painter, "Paint me as I am, warts and all,"¹¹ I hope the late Cardinal of Baltimore has given a salutary rule to his own biographer which the latter may follow with profit to both his subject and to the kind of biography for which Gibbons made his plea.

From the beginning of his long episcopacy of nearly fifty-three years the relations of James Gibbons with the ordinaries of New York were for the most part cordial and often close. One of the first, although indirect, contacts which Gibbons had with the second Archbishop of New York proved in the end to be among the most fruitful. In the year 1870 when he was the missionary Vicar Apostolic of North Carolina he received a letter from a certain Dr. John C. Monk of Newton Grove, North Carolina, addressed "To Any Catholic Priest in Wilmington, N. C." Monk, who lived in a rural community about midway between Raleigh and Wilmington, had for some time been searching for a satisfying religious conviction. One day he happened to discover in a copy of the *New York Herald*, which had been wrapped around some purchases he had made at the general store, a sermon delivered by Archbishop McCloskey on the claims of the one true Church of Christ and the doctor was so deeply impressed by the cogency of the archbishop's reasoning that he was moved to write his letter. The result of this chance reading of the sermon of the Archbishop of New York was that Dr. Monk was instructed in the faith and baptized by Bishop Gibbons on October 27, 1871. Eventually his wife and children, his brother and his family, and a number of their neighbors entered the Church and today, nearly eighty years later, Newton Grove is almost solidly Catholic, the most Catholic rural community in the Diocese of Raleigh.¹² In such strange ways does Providence at times direct the souls of men.

¹¹*Ibid.*, 255.

¹²A search of the files of the *New York Herald* for this period revealed a sermon by McCloskey on the true Church preached at the dedication of St. Ann's Church in East 12th Street on New Year's Day, 1871, and published in the *Herald* the following day. This sermon was very likely the one read by Monk, but Gibbons' own date of 1870 for the letter from the doctor would indicate an earlier sermon by the Archbishop of New York, or, perhaps, that he repeated the same sermon at St. Ann's which had been given at an earlier date. The cardinal told the circumstances of the Monk

The earliest recorded appearance of Gibbons as a bishop in the old cathedral of New York occurred on April 27, 1875, when John McCloskey received the red biretta of his rank as a prince of the Church from the hands of James Roosevelt Bayley, Archbishop of Baltimore. At the time Gibbons was still an obscure missionary prelate in his post as Bishop of Richmond. He read an announcement of the approaching ceremony in the *Baltimore Sun* and he inquired of Bayley if bishops outside the Province of New York would be expected to attend. As he put it, "If duty, or even courtesy requires it, I shall make it my business to be present."¹³ Apparently his metropolitan agreed that he should be there, for on the morning of April 27 the Bishop of Richmond took his place among the many prelates of the United States assembled to do honor to the nation's first cardinal. Two years later Gibbons was an active participant for the first time at a ceremony in old St. Patrick's when he acted as co-consecrator of John Lancaster Spalding as first Bishop of Peoria when McCloskey performed that ceremony on May 1, 1877. On this occasion he shared for the first time the hospitality of the cardinal's residence, for some days before the ceremony McCloskey communicated with Gibbons to say, "I write to request that you will favor me by becoming my guest during your stay in this city."¹⁴

While there had been rumors for some time that Gibbons would be promoted to Baltimore as Bayley's coadjutor, Cardinal McCloskey probably did not know at the time he entertained the young bishop in early May that the same month would see the confirmation of the appointment by the Holy See. At any rate, the news became known three weeks after Spalding's consecration and Michael Corrigan, then Bishop of Newark and a man destined with Gibbons to play a leading role in the history of the Church of the late nineteenth century, hastened to congratulate the archbishop-elect. He said, "May God be praised for his appointment

case in his paper read before the Society in May, 1891, and published in the *United States Catholic Historical Magazine*, III (1890-91), 337-352, under the title, "Reminiscences of North Carolina."

¹³41-S-9, Gibbons to Bayley, Richmond, April 12, 1875.

¹⁴73-A-17, McCloskey to Gibbons, New York, April 18, 1877.

which has been so earnestly prayed for, and may His Holy Spirit be always with you to guide and direct you for our common good!"¹⁵ In the autumn of that year Gibbons moved to Baltimore and with the death of Archbishop Bayley on October 3 he entered at once upon the administration of the archdiocese. As the time neared for his investiture with the pallium, a ceremony set for February 10, 1878, Gibbons urged Corrigan to be present as he had promised. "I shall expect you without fail," he wrote, "& should be more than disappointed by any excuse."¹⁶ Three days before the ceremony word reached the United States of the death on February 7 of Pope Pius IX. Gibbons was greatly perplexed as to whether or not he should go forward with the celebration scheduled for the following Sunday. His anxiety was relieved when Cardinal McCloskey, on the day before he sailed for the conclave, telegraphed to Baltimore: "Don't postpone ceremony."¹⁷ With this authoritative direction from the American cardinal the investiture with the pallium was allowed to proceed.

After James Gibbons had been in occupation of the See of Baltimore for two years he decided to make his first visit to Rome as ordinary of that jurisdiction. He informed Cardinal McCloskey of his intention and stated that he would call to see him the day before he sailed.¹⁸ By this time the health of the Cardinal of New York had suffered a serious decline and he was in need of assistance in the administration of his heavy responsibilities. On the occasion of their visit the two archbishops probably discussed the question of a coadjutor for New York, for while Gibbons was still in Europe he received the following letter from McCloskey:

Being told that you are to remain abroad, most probably until the end of September or beginning of October, I feel that I ought not longer defer writing to you in order to acquaint you with the fact of my having made application to the Holy Father for a Coadjutor. The names which have been presented

¹⁵73-B-11, Corrigan to Gibbons, Newark, May 20, 1877.

¹⁶Archives of the Archdiocese of New York, Gibbons to Corrigan, Baltimore, January 21, 1878. All correspondence of Gibbons with New York hereafter cited was taken from this archives unless otherwise designated.

¹⁷73-N-16, McCloskey to Gibbons, New York, February 8, 1878, telegram.

¹⁸Gibbons to McCloskey, Baltimore, April 12, 1880.

with unanimous concurrence of all my suffragans, are as follows: 1. Rt. Rev. Dr. Lynch Bishop of Charleston, *dignissimus*. 2. Rt. Rev. Dr. Loughlin Bp. of Brooklyn, *dignior*. 3. Rt. Rev. Dr. Corrigan Bp. of Newark, *dignus*. The name of your suffragan was not proposed without having first conferred with him upon the subject, & having become satisfied that his financial affairs would not be a serious impediment, & that most probably it would be for the advantage of this diocese to have a change. In fact he could do more for it here than in Charleston.

Will Your Grace be kind enough to write to Card. Simeoni giving your opinion—which I hope will be a favorable one.¹⁹

Why McCloskey should have so strong a preference for Bishop Lynch as his successor in New York is not easily explained. Lynch was at the time sixty-three years of age, in uncertain health, and still somewhat *persona non grata* to the government in Washington because of his efforts in behalf of the Confederacy during the Civil War. As it turned out Lynch was dead in less than two years so that his term of service to McCloskey would have been very brief, indeed, had he received the appointment. What action Gibbons took at Rome we have no way of knowing, but in any case, the third name on the list was the one chosen by Leo XIII and Corrigan of Newark found himself in the fall of 1880 as coadjutor of McCloskey with the right of succession. The news of his appointment seemed at first to overwhelm him and he told Gibbons:

The one favor I wanted to ask you if I could see you before your journey to Rome was to try and avert this fearful load.

Now I can only humbly commend myself to your prayers—amazed at the thought that I am bidden to carry a cross which your Predecessor [Archbishop Bayley] told me, years ago in your room, that even he would not dare to carry.²⁰

But in spite of his misgiving Archbishop Corrigan entered upon his new duties here in New York in the autumn of 1880 and with the failing health of McCloskey more and more of the active administration of affairs passed into his hands. He was not long at his new post before the agitation of certain western bishops for

¹⁹75-H-2, McCloskey to Gibbons, New York, July 14, 1880.

²⁰75-K-1, Corrigan to Gibbons, Newark, October 1, 1880.

a plenary council of the American Church brought the subject to his attention. Late in 1881 Giovanni Cardinal Simeoni, Prefect of the Congregation of the Propaganda, asked the opinion of Cardinal McCloskey about a council. The Cardinal of New York was not in favor of it and Corrigan, acting in his name, in turn consulted Archbishops Gibbons, Williams of Boston, and Wood of Philadelphia, all of whom were opposed.²¹ When he inquired of Gibbons the latter replied:

The more I think on the subject of the council, the more I incline to the Cardinal's view—that it is undesirable for years to come to hold a Plenary Council, & if his Eminence has not yet written, he might if he thinks proper, express my views in connection with his own.²²

However, the unanimous judgment of the prelates who in those days were sometimes referred to as “the Atlantic archbishops,” was overruled and Rome summoned the American metropolitans and their representatives to the Holy See in the fall of 1883 to make preparations for the council. Obviously the man who would have normally been chosen to preside over the council as apostolic delegate would have been the American cardinal, but the physical condition of McCloskey was so feeble that it proved impossible for him to assume the burden. When, for example, Gibbons announced that he would visit New York in early June, 1883, Corrigan replied that he would be delighted to see him and to have him accept, as he expressed it, “the hospitality of our roof *then*, and *whenever* it may be convenient for you to visit this city.” But he added that he feared the cardinal would not even be able to dine with them, and he said the archdiocesan synod which they had planned would have to be postponed because of his illness. Corrigan remarked, “Unless the summer brings strength to the poor Cardinal he will never hold a Synod or do anything else in this world.”²³

Such being the case it was not surprising that Leo XIII should designate the Archbishop of Baltimore to preside over the Third

²¹Archives of the Archdiocese of Boston, Corrigan to Williams, New York, January 31, 1882.

²²Gibbons to Corrigan, Baltimore, n.d.

²³77-G-14, Corrigan to Gibbons, New York, May 24, 1883.

Plenary Council as Kenrick and Spalding, his predecessors, had acted as apostolic delegates for the First and Second Plenary Councils in 1852 and 1866. Once Gibbons had been appointed there was no one to whom he turned more frequently for advice on the many vexing problems that faced him than to the Coadjutor Archbishop of New York. Early in the preparations Gibbons made the selection of preachers for the sermons that would be delivered during the council. He wrote Corrigan as follows:

I have a favor to ask, & I believe you will graciously accede to my request. It is that you preach at the Council the sermon on the deceased Prelates. I have many reasons for selecting you. On examining the list of Bishops, I find no one so well fitted for the task as Your Grace. You have an exactitude of mind & fact & feeling so essential for such a subject. Besides, the representative of the great Archdiocese of New York should be heard in the Cathedral, & I think you will deem the subject I propose more congenial than a sermon on one of the Sundays. His Eminence preached the opening sermon at the last Council. I know your labors are many. But you will have ample time to prepare, & the length & treatment of the subject is entirely in your hands.

I trust then that with your usual self-sacrificing & obliging spirit, you will gratify me by a favorable reply.²⁴

Corrigan accepted the invitation and preached on November 13 at the pontifical requiem celebrated by Archbishop Joseph S. Alemany, O.P., of San Francisco. During the course of the summer and early autumn of 1884 Gibbons was in constant touch with Corrigan on council business. The opinion of the New York coadjutor was asked on all important matters as they arose in Baltimore and the doubts of Gibbons were many times resolved by the opinions which Corrigan returned to his questions. Even on the subject of inviting the monsignori to the council Corrigan was consulted. He answered that he thought the domestic prelates should be tendered an invitation—and he could think of only nine priests who held that rank in the entire United States at the time; but, he continued, “As the other Monsignori are *not Prelates* I see no reason why they should be specially honored particularly

²⁴Gibbons to Corrigan, Baltimore, April 8, 1884.

as the title is sometimes obtained almost against the Bishop's will as it was, e.g., in case of Mgr. Cluever [John H.] of Albany."²⁵

A month before the council opened Corrigan informed Gibbons that he had only one suggestion to offer, and it was that he spare himself as much as possible during the coming weeks as he would need all his strength for the trying ordeal ahead. Reflecting the presidential campaign which was then drawing to a close between James G. Blaine and Grover Cleveland, the Archbishop of New York remarked :

Several prominent Democratic politicians, some of them direct messengers from Gov. Cleveland, have called here during the past two weeks,—much in the same sense as they waited upon Your Grace in Baltimore. The threat of persecution is ridiculous, and the insinuation that Catholics belong to the Democratic party and are not at liberty to vote otherwise is just as amusing.²⁶

The archbishops were too preoccupied that fall to give much attention to national politics and it was of far more interest to Gibbons to be told by Corrigan that the preliminary schema of the conciliar decrees had reached him and had met with his hearty approval. Corrigan had read the document carefully, congratulated Gibbons on its completion, and said that it bore throughout, as he expressed it, "marks of great zeal, good judgment and enlightened wisdom."²⁷ During the four weeks that the bishops were in session in Baltimore the Coadjutor of New York was in constant attendance and played a leading role in the deliberations of that important assembly.

In less than a year after the Third Plenary Council the long and distressing illness of Cardinal McCloskey was closed by death on October 10, 1885. Knowing that the end was near, Corrigan telegraphed to Gibbons three days before and asked if he would preach the funeral sermon. The archbishop replied immediately :

I was truly startled & for some moments overwhelmed by your kind invitation recd. this morning, & to which I sent an affirmative reply, for I desire to oblige one to whom I am

²⁵77-Y-3, Corrigan to Gibbons, New York, April 28, 1884, *Private*.

²⁶78-Q-11, Corrigan to Gibbons, New York, October 6, 1884.

²⁷78-R-11, Corrigan to Gibbons, New York, October 17, 1884.

so much indebted. I never thought that you would have selected me. Our dear friend of Phila. [Archbishop Ryan] naturally occurred to me. I will do the best I can but what is that for such a subject!

I had engagements extending for two weeks, but as soon as I hear of the Cardinal's death, I will give them up, & attend to the sermon. . . .²⁸

On October 15 the Archbishop of Baltimore arose in St. Patrick's Cathedral to address the immense throng of prelates, priests, and laity who had gathered to pay their final respects to the memory of the first American cardinal. In the course of his sermon Gibbons said:

Your venerated Cardinal has left you at his death two great monuments of his zeal and two great legacies of his love. The Catholic Protectory and this noble Cathedral, the grandest in the United States, will stand as lasting monuments of his zeal for religion and humanity.

He has left you two precious legacies of his love, and first the legacy of a pure and unsullied life as Priest, Bishop, Archbishop, and Cardinal. He never tarnished the surplice of the Priest nor the rochet of the Bishop, nor the pallium of the Archbishop nor the scarlet robes of the Cardinal. After spending upwards of half a century in the exercise of the ministry he goes down to his honored grave without a stain upon his moral character.

He leaves you another precious legacy in the person of his gifted successor. . . . The dying Cardinal laid his hands in benediction on his successor, and that benediction of the expiring Patriarch will be as fruitful to the son of his adoption and the heir of his priestly throne as was Jacob's blessing to Joseph.²⁹

The death of the only cardinal of the United States naturally heightened speculation as to who would be selected by the Holy Father among the American bishops to succeed to that high honor. The newspaper men entertained themselves and their readers with the customary rumors through the winter of 1885-1886 but not until early February did they come up with information which seemed to be authentic. On February 10 Archbishop Corrigan

²⁸Gibbons to Corrigan, Baltimore, October 7, 1885.

²⁹*Catholic Review* (New York), October 24, 1885.

telegraphed to Gibbons and announced to the press that he had just received a cablegram from Rome that the Archbishop of Baltimore had been chosen by Leo XIII for the cardinal's hat. He congratulated the archbishop and followed his first wire within a few hours by a second which read: "It is authentic. Biglietto will arrive about twenty-second."³⁰ The news spread quickly and numerous congratulatory messages began to pour into 408 N. Charles Street. Gibbons' reaction to the announcement was embodied in his reply to Corrigan. He wrote:

Your kind announcement of Wednesday—the first & indeed the only authoritative information I have yet recd. has caused quite a commotion over the country, & has overflowed me with telegrams & letters of congratulation. *Parcet tibi Deus.*

I hope the day is not very distant when I will be sweetly revenged on you by communicating a similar message in your regard. Then what a hurricane there will be! The present storm will be mild in comparison to it.³¹

In the midst of the flurry over the new cardinal for the United States Corrigan was busy with arrangements for his investiture with the pallium. He invited Gibbons to confer this symbol of his metropolitan jurisdiction on March 4, an honor which the Archbishop of Baltimore promptly accepted, adding that he hoped later on to witness another ceremony in which Corrigan would be the principal figure.³²

But as yet there had been no official word to Gibbons from the Holy See concerning the reported honor. Two weeks after the original announcement by Corrigan the latter received a letter from Rome which profoundly disturbed him. He had previously made application to the Congregation of the Propaganda for an indult to eat meat on the Saturdays of Lent. He knew that an earlier and similar petition had been made by Gibbons and he, therefore, instructed his confidential agent, Miss Ella Edes, to inquire at the Propaganda if Gibbons' request had been granted and told her to cable the answer. Following instructions, Miss Edes

³⁰80-F-2, Corrigan to Gibbons, New York, February 10, 1886, telegram; 80-F-3, Corrigan to Gibbons, New York, February 10, 1886, telegram.

³¹Gibbons to Corrigan, Baltimore, February 12, 1886.

³²Gibbons to Corrigan, Baltimore, February 13, 1886.

had cabled as follows: "Granted, official letter Baltimore, Feb. 8th." But by the time this cablegram reached the archbishop's residence on Madison Avenue the papers were filled with the likelihood of the cardinal's hat for Baltimore, and in the multiplicity of affairs which crowded him at the moment the Archbishop of New York took the cablegram to refer to the red hat and not to the lenten indult. As he wrote confidentially to Gibbons, "And not dreaming of any other official letter, we were led by the word *Baltimore* to interpret the cable in what seemed the most natural sense in the world." He confessed his mistake in the most abject terms and he added, "I have nothing more to say, except most humbly to crave your forgiveness for my involuntary error. I *meant* to do a kind act, and on the contrary have only covered myself with confusion." Corrigan believed that if the entire matter were kept strictly confidential no one would be the wiser and it would come out alright in the end.³³ Gibbons, of course, was deeply embarrassed. He told Corrigan that he had received his letter just as he was going down to breakfast with Bishops John J. Kain and Joseph Dwenger and he confessed that it was with the greatest difficulty that he had maintained his composure at the table. He added:

I am sorry also my Dear Friend, for your sake. I know how distressed you must feel, & all on my account, in your friendly eagerness to send me what you naturally supposed would be a joyful message. I will keep the secret, but I cannot stop the congratulatory messages that are coming in every day. I can only say to them in reply, as I have been saying, that I have no communication from Rome on the subject. . . .

Pray my Dear Friend that I may have grace to bear this confusion, & may joyfully do God's will, & I beg you not to be distressed on my account.³⁴

Meanwhile Gibbons made ready for the investiture of Archbishop Corrigan with the pallium on March 4. A few days before the ceremony he told the archbishop, "I am dreading the gauntlet I will have to run in New York. But I will be careful not to commit

³³80-M-10, Corrigan to Gibbons, New York, February 23, 1886, *Private*.

³⁴Gibbons to Corrigan, Baltimore, February 24, 1886, *Private*.

myself.”³⁵ The painful suspense endured for nearly three months and it was only in the first week of May, 1886, that official word from the Holy See was forwarded to Gibbons that he had been created a cardinal. He fixed June 30, the silver jubilee of his priesthood, as the date for receiving the red biretta and in inviting Corrigan to be present on that occasion he said:

I see by the papers that your hands are full of work, & I am informed of the same fact by Dr. Foley & others who have been in New York. I really think you cannot stand this strain long, & if you do not relax a little, you may get your crown before the red hat. I want the latter to come first.³⁶

By the year 1886 when Gibbons received the red biretta of his cardinalitial rank and Corrigan the pallium of his office as a metropolitan the American Church had already entered upon one of the most tumultuous periods in its history. Serious difficulties beset the hierarchy of the United States with an urgency which left them relatively little peace of mind for the next twenty years. The acute problems centering around the thousands of immigrants, the attempt to establish a nunciature in Washington and to found a national university in the same city, the growth of secret societies, the agitation surrounding the single tax movement of Henry George and Dr. McGlynn, the case of the Knights of Labor, the school controversy of Archbishop Ireland, and finally the alleged threat of heresy under the name of Americanism—all these and many minor matters crowded upon the scene and pressed for solution almost simultaneously during the 1880's and 1890's. In each of these grave concerns of the Church the Archbishops of Baltimore and New York, to be sure, played conspicuous roles. But with the exception of their agreement on the dangers inherent in the so-called Cahenslyism and their joint opposition to an apostolic nuncio in Washington, Gibbons and Corrigan found themselves for the most part on opposite sides of the controversies. The difference between the two prelates have already been treated in published works with which you are familiar. In the pages of Zwierlein's

³⁵Gibbons to Corrigan, Baltimore, February 26, 1886.

³⁶Gibbons to Corrigan, Baltimore, June 2, 1886.

Life and Letters of Bishop McQuaid (Rochester, 1925-1927), Macdonald's *The Catholic Church and the Secret Societies in the United States*, published as a monograph of your society three years ago, your President's splendid articles on Cahenslyism in the *Catholic Historical Review* for 1946 and his lectures before this society in March, 1947, in the articles of McAvoy and Holden on Americanism in the *Catholic Historical Review* for July, 1945, in Reilly's *The School Controversy, 1891-1893* (Washington, 1943), and most recently in Browne's *The Catholic Church and the Knights of Labor* (Washington, 1949) the opposing views of the Cardinal of Baltimore and the Archbishop of New York have been set forth in detail. I shall not, therefore, take your time to repeat that story here. Suffice it to say that the warm friendship which had marked the early relationship between Gibbons and Corrigan suffered as a consequence of their differences. True, the two archbishops refrained from public denunciations of each other which in other instances characterized this painful period in the history of the American hierarchy, but for some years there was a noticeable coolness between New York and Baltimore which disappeared only with the passing of time.

Yet despite this fact communication between the two prelates was never completely broken off and from time to time Gibbons turned again to Corrigan for advice as, for example, when he sought his opinion concerning the propriety of the cardinal's acceptance of an invitation to participate in the religious aspect of the centennial celebration of the Constitution in Philadelphia in September, 1887.³⁷ Likewise when a delegation of your society waited on Archbishop Corrigan in January, 1892, with the suggestion that there should be a general Catholic observance of the 400th anniversary of the discovery of America on the coming October 12, the Archbishop of New York immediately took up the question with Gibbons and told the cardinal, "I naturally turn to Your Eminence for advice and guidance in this matter."³⁸ In each case the counsel of the man who had been consulted was followed. Corrigan recommended that Gibbons should go to Philadelphia, and

³⁷Gibbons to Corrigan, Baltimore, August 3, 1887.

³⁸89-L-3, Corrigan to Gibbons, New York, January 26, 1892.

five years later the suggestion originally offered by a group of your own members was responsible for Gibbons' circulating the American hierarchy and for the subsequent Catholic celebrations of the Columbian anniversary which were held all across the land. Moreover, when a misunderstanding arose between Corrigan and Archbishop Francesco Satolli, the first Apostolic Delegate to the United States, Gibbons was asked by Mariano Cardinal Rampolla, Secretary of State, to intervene to bring peace.³⁹ The cardinal succeeded in arranging a meeting between the two prelates here in New York in August, 1893, and the reconciliation which followed on that occasion earned the gratitude of both Corrigan and Satolli for Gibbons' efforts in their behalf.⁴⁰

In a further attempt to smooth the ruffled feelings in New York the Cardinal of Baltimore invited Archbishop Corrigan to deliver the sermon at the celebration of his silver jubilee as a bishop on October 18, 1893. Corrigan accepted the invitation and he abided by Gibbons' request to keep the sermon from becoming a personal panegyric by directing his discourse to the dignity and functions of the episcopal office. After the quieting of the storm over the Faribault-Stillwater school plan of John Ireland the relations between Baltimore and New York improved. Thus when Father John P. Chidwick of St. Stephen's Church, who later gained fame at the time of the sinking of the *Maine* in Havana harbor and who served for many years as Rector of St. Joseph's Seminary, sought a chaplain's post in the navy the Archbishop of New York appealed to Gibbons to use his influence with President Cleveland to secure the appointment.⁴¹ The cardinal gladly complied with a letter of recommendation to Cleveland and Chidwick was appointed.⁴² Likewise three years later when Corrigan sought the good offices of the cardinal for a new Catholic chapel at West Point Military Academy,⁴³ Gibbons asked John McDonald, a Maryland representative in Congress, to persuade his colleagues to vote for the bill

³⁹91-M-7, Rampolla to Gibbons, Rome, June 15, 1893.

⁴⁰91-S-10, Satolli to Gibbons, New York, August 18, 1893; 91-T-7, Corrigan to Gibbons, Mount Saint Vincent's, August 30, 1893.

⁴¹93-Q-3, Corrigan to Gibbons, New York, January 8, 1895.

⁴²93-R-3, Gibbons to Cleveland, Baltimore, February 4, 1895, copy.

⁴³Gibbons to Corrigan, Baltimore, March 2, 1898.

for a new chapel to serve the Catholic officers and cadets at West Point since, as he said, the present structure was inconveniently situated and ill adapted for a house of worship.⁴⁴ Soon thereafter Corrigan was preparing to observe the silver jubilee of his episcopacy and with that in mind Gibbons wrote him as follows:

I cannot allow the silver jubilee of your Episcopal Consecration to pass over, without tendering to Your Grace my sincere congratulations on that auspicious occasion.

It must be a source of special gratification to Your Grace that the clergy & laity of your archdiocese enter so enthusiastically into the joyous event, & above all, that they are going to signalize the occasion by so munificent & princely a contribution towards meeting the debt of your Diocesan Seminary.

I pray the Lord to make your administration as fruitful in the future, as it has been in the past, & to prolong your life to celebrate your golden jubilee.⁴⁵

But the archbishop was not destined to see his golden jubilee, for almost four years to the day of Gibbons' greeting Corrigan was suddenly taken by death on May 5, 1902. When the great crowd assembled in St. Patrick's Cathedral on May 10 for the funeral of the late archbishop it was the Cardinal of Baltimore who celebrated the pontifical requiem for his departed colleague with whom he had been so prominently associated for upwards of thirty years.

Upon the death of Archbishop Corrigan the administration of the vacant see passed temporarily into the hands of John M. Farley, Auxiliary Bishop of New York. Farley was no stranger to Cardinal Gibbons. For nearly twenty years they had been fast friends ever since the days when Farley served as the first secretary of the hierarchy's committee on the new University at Washington, and during the prolonged and sometimes difficult negotiations which marked the formative stages of that institution the future University had no more loyal friend than this New York priest. After the plans for the University had matured to the point where a vice rector had been chosen in the person of Philip J. Garrigan, Monsignor Farley submitted his resignation to Gibbons as secretary of

⁴⁴96-D-5, Gibbons to McDonald, Baltimore, March 2, 1898, copy.

⁴⁵Gibbons to Corrigan, Baltimore, May 1, 1898.

the committee. The cardinal was altogether opposed to losing his services and he told him that his request to resign, as he expressed it, "came to me like a thunderclap, & I am delighted that you did not insist in demanding it. You must continue one of us unless Providence should call you from the diocese at any future time."⁴⁶ Fortunately, Farley did not insist on resigning and from this early date to his death thirty years later the Catholic University of America and its chancellor, Cardinal Gibbons, had no stauncher friend anywhere in the land than John M. Farley.

Late in the year 1895 Farley had been named as Auxiliary Bishop of New York and his friend in Baltimore hastened to extend his good wishes. In answering his letter Farley told Gibbons that there were no congratulations so highly appreciated as those of His Eminence and his was the first to be acknowledged. He continued:

As it was your wise and paternal advice that determined my acceptance of the tender of the Episcopal office, the prospect of the burthens it imposes is brightened by the hope that I may always rely on the same fatherly counsellor.⁴⁷

As was customary at the time the metropolitans of the United States were asked for their opinion concerning the *ternae* of names drawn up for the vacancy in New York by the bishops of the province and the consultors and irremovable rectors. The strong opinion of Cardinal Gibbons was given in the entry we find in his diary under the date of May 14, 1902, which read as follows:

I wrote to the Card. Prefect expressing my views on the relative merits of the candidates proposed by the Bps. of the Province & the clergy for the vacant See of New York. I express my decided preference for Bp. Farley who is the only person on both lists. After him I recommend Mgr. Quigley, but as a candidate far less available than the former. The other candidates are Mgr. Mooney, Dr. McSweeney, & Fr. Colton, all excellent priests. . . .⁴⁸

⁴⁶Gibbons to Farley, Baltimore, November 23, 1888.

⁴⁷94-D-2, Farley to Gibbons, New York, November 28, 1895.

⁴⁸Diary of Cardinal Gibbons, p. 297. Joseph F. Mooney was vicar general of New York at the time, Patrick F. McSweeney was pastor of St. Brigid's Church, and Charles H. Colton was chancellor of the archdiocese and destined to become Bishop of Buffalo in August, 1903. Presumably the Quigley mentioned was James E. Quigley who was consecrated as Bishop of Buffalo on February 24, 1897.

An interval of four months elapsed between the death of Corrigan and the appointment in September, 1902, of New York's auxiliary bishop as the fourth archbishop of this see. When Gibbons once more expressed his pleasure at Farley's advancement the archbishop-elect thanked him and said:

I have received nothing official so far on the subject, but private cablegrams from Rome lead me to fear that the newspaper reports are true; in which event I beg to ask Your Eminence to do me the favor of conferring the pallium.⁴⁹

During the succeeding sixteen years the Archbishops of New York and Baltimore worked in the closest harmony on all matters pertaining to the welfare of the American Church. Early in the year 1908 Archbishop Farley began to make plans for the celebration of the centennial of the Archdiocese of New York which was to be held in April. He asked Gibbons to preach the sermon at the principal Mass and Michael Cardinal Logue, Archbishop of Armagh, in whose jurisdiction Farley had been born sixty-six years before, was invited to be present and to offer the Mass. Gibbons readily accepted the invitation to deliver the sermon and he told Farley:

I am delighted to hear that his Eminence of Armagh will be present. It was a fine stroke of wisdom & good policy to invite him. His presence will lend additional prestige to the festivities.⁵⁰

On April 28, 1908, Cardinal Logue was the celebrant of the pontifical Mass in St. Patrick's with Cardinal Gibbons the preacher as New York's centennial reached its grand climax. Gibbons began by tracing the beginnings of the Church in the United States during which he paid the following special tribute to Archbishop Carroll:

I regard the selection of Bishop Carroll as a most providential event for the welfare of the American Church. For, if a Prelate of narrow views, a man out of sympathy and harmony with the genius of the new Republic had been chosen,

⁴⁹100-A-1, Farley to Gibbons, New York, September 6, 1902.

⁵⁰Gibbons to Farley, Baltimore, January 25, 1908.

the progress of the Catholic religion would have been seriously impeded.

It is true, the Constitution had declared that no one should be molested on account of religion; but constitutional enactments would have been a feeble barrier to stem the tide of popular and traditional prejudice, unless those enactments were justified and vindicated by the patriotic example of the chief ruler of the American Church.

The preacher then surveyed the remarkable growth and development of the Archdiocese of New York under the seven bishops who had ruled the see up to that time, but it was Archbishop John Hughes who received the lion's share of Gibbons' praise and attention. Of New York's first archbishop he said:

Archbishop Hughes was the man for the occasion. Like Archbishop Carroll, he was providentially raised up to meet the exigencies of the times. He braced the relaxing nerves of discipline. The Trustee System, admirable in itself when exercised within legitimate lines, was grossly abused and it led to a spirit of insubordination to the ecclesiastical authorities. This evil he repressed with a firm and vigorous hand. He was also the fearless champion of Christian education; and, if to-day our Christian schools are so thoroughly established and developed throughout the land, this result is due, in no small measure, to the bold and timely initiative of the Archbishop of New York.

Archbishop Hughes was a Prelate of great intellectual power. James Roosevelt Bayley, my venerable predecessor, a man of close observation and large experience, and an intimate friend of the New York Prelate, informed me that he regarded Archbishop Hughes as one of the ablest minds he ever encountered. His letters to Mayor Harper, of New York, are models of literary style, and are worthy of the pen of a Junius and an Edmund Burke.

He was a man of indomitable courage. He had no sense of fear. He never paled before dangers and difficulties. He rather courted them, that he might triumph over them. . . .

He has left an indelible impress of his works and character on this Archdiocese, and even on the country at large.⁵¹

All through the early years of the present century the Archbishops of Baltimore and New York maintained their close friend-

⁵¹New York *Freeman's Journal*, June 20, 1908.

ship without interruption. Occasionally the request for a favor might, it is true, have to be declined. For example, when Archbishop Farley invited Gibbons to perform the marriage ceremony of the Earl of Granard in New York the Baltimore cardinal felt obliged to refuse. He told Farley:

Whilst it would be for me a pleasure to comply with your wishes, I do not think that it would be well for me to assist at a mixed marriage outside of my own diocese; besides, I have made a resolution not to assist at any such marriages even within the limits of my jurisdiction.⁵²

The regard which Gibbons and Farley had for one another could easily be seen in the frequency of their visits and the disposition which they showed to travel in one another's company when they were scheduled to attend the same event. In the summer of 1910 they were looking forward to the Eucharistic Congress in Montreal and Gibbons informed Farley that he would remain overnight in New York on his way to the congress and, as he put it, "I come to you a petitioner for hospitality for myself and my companions. . . ." He had had a private railway car placed at his disposal for the trip to Montreal and he requested Farley and his secretary to be his guests on the journey to Canada.⁵³ Three years later when word reached the United States that Pope Pius X was thought to be dying the Cardinals of New York and Baltimore made all their arrangements to sail together on the *George Washington* to attend the conclave. There was no indication in their correspondence that either Gibbons or Farley had communicated with the third American cardinal of that time, William O'Connell of Boston. The only mention of him came at the end of a letter from New York to Baltimore which read:

A friend met Cardinal O'Connell yesterday in the Plaza Hotel where he is staying. He is, I presume, waiting like ourselves, and has come on to New York where he can find more frequent steamers than in Boston.⁵⁴

⁵²Gibbons to Farley, Baltimore, January 2, 1909.

⁵³Gibbons to Farley, Baltimore, August 18, 1910.

⁵⁴109-E, Farley to Gibbons, Baltimore, April 10, 1913; cf. also AANY, Gibbons to Farley, Baltimore, April 10, 1913; same to same, Baltimore, April 14, 1913; Louis R. Stickney to Farley, Baltimore, April 17, 1913.

Actually Pius X recovered from his illness in the spring of 1913 and the anticipated journey of the American cardinals did not have to be made. When the Pontiff finally died on August 20, 1914, Farley was already in Switzerland so Gibbons made the trip on the *Canopic* in the company of the Archbishop of Boston, although they failed to arrive before the election of Benedict XV.

In the last years of his life Cardinal Farley felt the increasing strain of his administrative duties and in July, 1914, he was partially relieved when his chancellor, Patrick J. Hayes, was named as Auxiliary Bishop of New York. The nomination of Hayes to the episcopacy had been requested of the Holy See during the visit there of Farley and his chancellor at the time of the conclave. While in Rome they met Gibbons and his conclavist, Monsignor Louis R. Stickney, and the cardinal was asked by the Archbishop of New York to second his choice of Hayes with Cajetan Cardinal De Lai who was at the time Secretary of the Consistorial Congregation. It is this circumstance that explains the words of the bishop-elect when he wrote Cardinal Gibbons two weeks before his consecration to say:

May I express in writing what I attempted to say in words in the Eternal City, that I shall ever remember the exceptionally great service and kindness you did me in so graciously approving and commending the presentation of my name to his Eminence Cardinal De Lai.

The thought of this comes back to me these days, and proves a source of great encouragement.⁵⁵

In this way did the Cardinal of Baltimore play a part in the choice of the man who was destined to succeed Cardinal Farley in the See of New York when that prelate was called to his reward four years later.

By the time that the United States was entering upon the crisis of World War I in the spring of 1917 Cardinal Farley's health made it difficult for him to participate actively in the many exacting tasks so suddenly thrust upon the leaders of the American Church. But his associates in the Archdiocese of New York were promi-

⁵⁵110-G, Hayes to Gibbons, New York, October 12, 1914.

ment in that movement. Shortly after the establishment of the National War Council Monsignor Michael J. Lavelle, Rector of St. Patrick's Cathedral, was appointed as chairman of the chaplain's committee. He wrote to Gibbons of the urgent need for more Catholic chaplains among the armed forces and of the utmost importance which he attached to the appointment of an administrative council of the hierarchy to take the situation in hand.⁵⁶ The cardinal responded to Lavelle's appeal and assured him that he intended to take action that very week. He said, "Bishop Hayes will be one of the Committee, and will represent the Archdiocese of New York. The co-operation of Bishop Hayes, will I feel sure, go very far towards furthering the plan outlined in your letter."⁵⁷ As you all know Hayes was appointed by Gibbons and served with the National Catholic War Council until the spring of 1919 when he begged to be excused on account of the increased obligations which he had incurred with his appointment on March 10 of that year as Archbishop of New York.⁵⁸

On September 17, 1918, James Gibbons lost a friend whose affectionate regard he had cherished for over thirty years when John Cardinal Farley was called in death. Although the Cardinal of Baltimore was then over eighty-four years of age he traveled to New York for the funeral on September 24 where he took his place with the other two princes of the Church of North America, Louis Begin of Quebec and William O'Connell of Boston, in paying their final respects to their departed brother of the College of Cardinals. It was a time of real grief for Gibbons. The year 1918 was heavy with casualties among his friends. In January he had lost Bishop John Foley of Detroit with whom he had been closely associated for half a century; on June 22 there died at Dubuque John J. Keane, a prelate who was very near to the cardinal's heart; on September 24 he buried John Farley, and the following day, September 25, there died in St. Paul John Ireland, the archbishop with whom he had linked his own name and fortune in so many of the battles of the years that were gone. Gibbons was now

⁵⁶116-M, Lavelle to Gibbons, New York, December 14, 1917.

⁵⁷116-M, Gibbons to Lavelle, Baltimore, December 18, 1917, copy.

⁵⁸121-C, Hayes to Gibbons, New York, April 4, 1919.

a very old man and the associates with whom his life had been lived in the American Church were rapidly passing from the scene. With the death of Cardinal Farley his last intimate link with the Church of New York was broken. Yet if the ties of close personal friendship had now departed the sense of duty to a noble cause still remained to draw the aged cardinal to New York. Less than a month after the funeral of Farley, and only two days before the celebration of his own golden jubilee as a bishop, he received from Monsignor Joseph F. Mooney, administrator of the Archdiocese of New York, a request that he be present on October 27 at Madison Square Garden when there would take place a mammoth rally in behalf of the United Drive for War Camp Activities.⁵⁹ The old cardinal was reluctant to undertake the assignment, but Mooney's invitation was so pressing that he found it hard to refuse. He wrote in reply:

My first inclination was to ask you to excuse me from making a journey to New York. I have been working hard and feel the strain of it. Moreover I have visitors, as you know, from England and France and will be entertaining them for an indefinite time. Visions of a few days rest were being considered, but I shall be pleased to attend the Mass Meeting in Madison Square Garden to assist in making the United Drive for War Camp Activities a success. I am glad that you do not ask me to make an address on this occasion, as it is imperative that I conserve my strength.⁶⁰

Thus what he would not do through personal inclination the cardinal performed out of love for his country and for the brave men who had endured the ordeal of war. It was one of the final public appearances in New York of James Gibbons, one of the last of many journeys he had made through more than half a century to your see city to associate himself in events, both of joy and of sorrow, which have long since entered into the history of this archdiocese. Two and a half years thereafter Gibbons' long and eventful life was closed in death on March 24, 1921, and when the news reached New York Archbishop Hayes promptly telegraphed to Auxiliary Bishop Owen B. Corrigan in Baltimore:

⁵⁹119-B, Mooney to Gibbons, New York, October 18, 1918.

⁶⁰119-G, Gibbons to Mooney, Baltimore, October 21, 1918, copy.

"Sincerest sympathy on irreparable loss to Baltimore, America, and to Church Universal. May his great soul rest in peace."⁶¹ In a lengthy editorial on the day after Gibbons' death the New York *Times* said of him, "He was one of the wisest men in the world." And on the same March 25 the New York *Herald* wrote in an editorial:

The death of Cardinal Gibbons is more than the passing of an old man and honored churchman. It is the ending of the life of a great American, a fine figure in the national scene.

In the sense that Francis of Assisi is everybody's saint, James Gibbons was everybody's Cardinal. No matter what their religious beliefs, Americans who knew him held him in the highest respect and esteem.

New York's *Catholic News* of April 2 likewise carried an editorial in which they said:

No American that has died in recent years, not even excepting our most conspicuous statesmen, has been mourned so generally as His Eminence James Cardinal Gibbons, Archbishop of Baltimore. For years Cardinal Gibbons had been regarded throughout the country as our noblest American. So deeply did he impress everyone by his acts and his sayings during his long career that the verdict generally was that he typified everything that went to make a great American and a great Churchman.

On the last day of March, when fifty-five prelates, numbering two cardinals and ten archbishops, assembled in the ancient Cathedral of the Assumption in Baltimore to lead the vast throng of distinguished figures of both Church and State who were gathered in tribute to the revered memory of this peerless churchman and great American, conspicuous in the long procession that filed into the cathedral on that March morning were Patrick J. Hayes, fifth Archbishop of New York, and five of the six suffragan bishops of this Province of New York. The New York that had known and loved Cardinal Gibbons thus bid him farewell through the persons of its metropolitan and suffragan bishops until that day when they should all, in the providence of God, meet again in the reunion which knows no end.

⁶¹Baltimore *Catholic Review*, March 31, 1921.

THE CATHOLIC MINORITY IN THE UNITED STATES, 1789-1821*

By THOMAS T. McAVOY, C.S.C.

CATHOLIC England commemorates this year the centenary of the reestablishment of her hierarchy which Cardinal Newman glorified as the "Second Spring." All Catholics in the English-speaking world rejoice in the resurrection of Catholicism in England. Long before 1850, however, there existed another Catholic hierarchy in the English-speaking world which seems destined to play a far greater role in the history of the Church. We in this country celebrated our centenary of a Catholic hierarchy nearly sixty years ago—in 1889. Further, the American Catholic hierarchy is not one merely tolerated but is freer and more self-sustained than any other hierarchy in the English-speaking world. Several times since 1889 have Europeans turned to American Catholicism both hopefully and critically; and today that hope and criticism of American Catholicism are openly renewed by friend and foe in the press of Europe.¹ Present day American Catholicism, in its material condition and its social influence, is the product of many forces and of many types of people. But I think that its chief and peculiar characteristics are the products of American conditions which began to form the spirit of our Catholic minority² in the United States almost from the very day the United States became a nation.

The late Monsignor Peter Guilday liked to point out the amaz-

*This paper was read at the Annual Public Meeting of the Society, held at the Park Lane Hotel, New York City, on December 5, 1950. Dr. McAvoy is head of the Department of History in the University of Notre Dame, Notre Dame, Indiana.

¹Some examples of this critical attitude can be found in such articles as "Le Catholicisme aux États Unis," by Georges Escoulin in *Le Monde*, Jan. 10, 11, 12, 1950; "American Catholics Revisited," by Erik von Kuehnelt-Leddihn in *The Tablet* (London), April 22, 1950; and "Kirchliches Leben in Amerika," by "Ein Laie" in *Schweizer Rundschau* (Einsiedeln), March, 1946, 887-95.

²I have considered the Catholic minority in other periods in "The Formation of the Catholic Minority in the United States, 1820-1860," *Review of Politics*, X (January, 1948), 13-34; "Bishop John Lancaster Spalding and the Catholic Minority (1877-1908)," *ibid.*, XII (January, 1950), 3-19; and "The Anguish of the Catholic Minority," *American Ecclesiastical Review*, CXXI (November, 1949), 380-85.

ing parallels in dates between the events of American civil and American Catholic history. Certainly the fact that John Carroll was named the first Bishop of Baltimore the same year that George Washington became the first President of the United States would indicate that between the two executives there might be some connection which history, however, will not support. Yet, the parallel in time has some parallel in significance if one considers that the critical era in American history between the ratification of the Articles of Confederation in 1781 and the inauguration of Washington under the Constitution is almost coterminous with the period in which the orphaned missions in the former English colonies changed from a group of scattered missionaries into the first formal diocesan organization in the new country. One may carry the comparisons too far; yet there is one other obvious parallel. The Constitution was still but a piece of paper when Washington reached New York to take office; similarly, the Catholic Church in the United States was little more than a blueprint when Bishop John Carroll returned to Baltimore after his consecration in England to form his diocesan organization.

The group of missionaries to which the new Bishop returned had as its nucleus a remarkable body of men, mostly former members of the English province of the Society of Jesus.³ In the history of these Jesuits, as in so many other trials of the Church, can be found a story of a disaster turned into a blessing. For, just as a few years later the tragic exile of a remarkable group of French priests during the French Revolution brought the blessings of their missionary zeal to the new American diocese, so the dissolution of the English province of the Jesuits in 1773 released these American members of the province from a closer bond of a religious community, enabling them to become the nucleus of the first diocesan organization in the United States. I do not wish to imply that ceasing to be Jesuits made them more suitable for their grand work, rather that their having been Jesuits insured to them a uniformly exacting formation which is the best assurance of sus-

³Thomas Hughes, S.J., *History of the Society of Jesus in North America, Colonial and Federal*, 4 vols. (New York, 1910), contains the most authentic account of these Jesuits and documentary material on their activities.

tained zeal. And having been once a community, they found it easier to unite into a diocesan organization even when their numbers were increased by the added membership of Franciscans, Dominicans, and secular clergy. As a matter of fact, under the inspiration of Father John Carroll after the suppression of the Society the former Jesuits had drawn up a plan of government to preserve their unity and to handle the properties by which they were supported. This Select Body of the Clergy was eventually incorporated in Maryland in 1792 as the Corporation of the Roman Catholic Clergy of Maryland and it was to this organization that Carroll first appealed as Bishop of Baltimore.

It is true that formal attachment to a bishop or to a diocese alone did not make American Catholics members of the Church. The French in the Illinois country and in New England, the Irish in the port towns of Charleston, Norfolk, New York, and Boston were members of the Church but they were not yet formally members of the unit just beginning to be the Catholic Church in the United States. The appointment of 1789, indeed, had given Bishop Carroll jurisdiction throughout the territory of the United States; still his effective jurisdiction at the start was dependent upon those clergy who were united with this group of Maryland clergymen, and the American Catholic body as an effective force centered in the missions under the care of these priests. These Maryland clergymen, while waiting for the Holy See to decide their future, had extended the benefits of their organization to the other missionaries who came to work in the missions of Maryland and Pennsylvania, thus constituting the nucleus of the first diocese. Later on this central body would attract and absorb these smaller drops of Catholic life in the west and north and south, but during the remaining episcopate of John Carroll and his immediate successors it was this central body of Maryland and Pennsylvania Catholics which developed certain important characteristics that were in time to mark the Catholic minority in the United States as we know it today. Although the overwhelming numbers of later immigrants and the magnitude of the later Catholic growth have modified that inheritance, the full importance of the Catholic role in

American history can be measured in terms of the plans and goals set up by these early Catholic leaders.

These generalizations are very simple; but the tasks of Bishop Carroll were difficult and complicated. There were practically no Catholic communities and the problem of reaching the thousands of baptized Catholics in the coast towns, on pioneer farms, or in western settlements with a handful of priests of varying ages and nationalities called first for the drawing together of a functioning organization. If one more parallel to civil history may be permitted, just as George Washington as the first President was great not by any striking manifestation of daring but by his being a great administrator, so the character of John Carroll seemed to fit him for his great administrative burden of harmonizing many diverse groups and submitting to discipline the irregular elements to be found in this missionary country. He was an American whose Anglo-Irish Catholic ancestry⁴ made him readily sympathetic to American independence. He had had the advantage of education and travel abroad during which he had been a direct witness of the intrigues leading to the suppression of his religious society. This experience had given him an acute sensitiveness to human weaknesses in religious organizations. He was a member of a family of some means, able to meet the social and political leaders of his Maryland countryside on equal terms. He had demonstrated his civil loyalty as a member of the Commission to Canada during the American Revolution. Physically he seems to have been a man of moderate height, soft lines, and pleasant countenance.⁵ As the missionary of Rock Creek and as the Bishop of Baltimore he was able to meet amiably Catholic and non-Catholic alike, although he did not hesitate on occasion to attack a defaulting missionary⁶ or

⁴Peter Guilday, *The Life and Times of John Carroll, Archbishop of Baltimore (1785-1815)*, 2 vols. (New York, 1922), I, 2-6. Guilday repeats most of the information in John Gilmary Shea's *Life and Times of John Carroll* (New York, 1888) with much new documentary material. I have referred to Guilday rather than to the sources he has used.

⁵Letter of Jeanne and Rebecca Carroll to James F. Edwards, December 10, 1885, describing family accounts of Archbishop Carroll's appearance, Carroll-Brent papers in the Archives of the University of Notre Dame.

⁶Carroll's *Address to the Roman Catholics of the United States of America* (Annapolis, 1784), was written against an apostate cousin, the Rev. Charles Wharton.

to write against any anti-Catholic article in the press⁷ of the day a letter of protest in which he claimed for Catholics the liberties they had helped to win in the Revolution.

But his problems as Bishop did not involve so much those outside the Church as they did the internal organization of the new diocese. One might say that the Catholic group of about 30,000 souls—scarcely one per cent of the population of nearly four millions of the new country—was a minor concern of their Protestant neighbors. This indifference of most Americans of that early period about the existence of the Catholic group is so clear to us today that the earlier fear of these missionaries that the appointment of a bishop would bring down upon them persecution seems rather a symbol of the defeatism they had inherited from their English Catholicism than a fear based upon any actual threat of persecution. Generally speaking, as Orestes A. Brownson has pointed out, for most Americans of 1789 Roman Catholics “were not then sufficiently numerous in the country to be counted”⁸ and excited no great fear. Consequently, Bishop Carroll’s chief problems were not concerned with any external persecution but in harmonizing the varying elements and bringing into unity the scattered members of his newly formed diocese.

All together within the limits of his new diocese of the territory of the United States Bishop Carroll had fewer than thirty-five priests who were scattered from the Illinois country in the west to Boston in the east and from Savannah in the south to Albany in the north. There are no accurate lists of the Catholics who were in the United States at that time. His flock included the French in the west who had formerly been under the jurisdiction of Quebec, Irish who had lately arrived in the ports of entry along the coast, other French who had fled the insurrections in the West Indies or the mother revolution in France, and German settlers in Pennsylvania, besides the original English group of Maryland.

⁷Carroll claimed authorship of a letter defending Catholics that appeared in *The Columbian Magazine* (December, 1787), cf., Guilday, *op. cit.*, I, 113-4, and *American Catholic Historical Researches*, XV (April, 1898), 62-4.

⁸*Brownson's Quarterly Review*, II (third series, October, 1854), 475; and *ibid.*, II (first series, October, 1845), 536. See also E. B. Greene, *Religion and the State* (New York, 1941), 107-10.

Outside of a few families in this Maryland-Pennsylvania group, and an occasional French or Spanish consul, his flock had little of this world's wealth.

The nucleus of his clergy was the former members of the Society of Jesus who had organized the Select Body of the Clergy and incorporated their property under the laws of Maryland. Although this organization was formed by the former Jesuits primarily to preserve their property and to regulate their government and sustenance until the restoration of the Society of Jesus, other clergy working in the missions of Pennsylvania, Maryland and Virginia had been admitted to membership and granted salaries from the estates owned by the corporation.⁹ As a former Jesuit, Father John Carroll had played an important part in the formation of this corporation but he did so merely as a member of the group. His appointment as Prefect Apostolic and later his election as Bishop did not give him any greater power or position in the corporation. Although he shared the ex-Jesuits' hope for the restoration of the Society and sympathized with their efforts to preserve their property until the restoration, John Carroll, as the appointee of the Holy See to the new see of Baltimore, had to think first of his new position and prefer the diocese and the permanent diocesan organization to the welfare of his former confreres.

There were times when the new Bishop found this position midway between his former brethren and the other clergy of the diocese very trying.¹⁰ Dissatisfied clergy accused him falsely of using his office to discriminate in favor of his former Jesuit confreres while some members of the Society felt that he was taking for his diocese properties that rightfully belonged to the Jesuits. Carroll at first had to depend financially for the most part on his Select Body of the Clergy because few of his Catholic families could afford the funds necessary to build churches and to support his clergy. Eventually, he knew that the growth of the diocese must come from the meager contributions of the flock; never-

⁹Hughes, *op. cit.*, *Documents*, I, Part II, 691-3.

¹⁰*Ibid.*, 854-6.

theless, as can be seen in his first diocesan synod in 1791,¹¹ the core of his diocesan organization remained for some time the members of this Select Body of the Clergy. Most of these had already grown old on the missions. Although Carroll knew that he must secure additional clergymen to help him, he must have been pleased to have such experienced missionaries as Father Robert Molyneux, Father John Ashton, Father Francis Beeston, Father Francis Graessel and others to assist him. And there were others whose zeal and loyalty made possible the spiritual care of distant missions and the new immigrants in the ports. Among these there were the Dominicans, Francis Anthony Fleming and William O'Brien, the first of newly arrived Sulpicians, Fathers Francis Nagot, Anthony Garnier and John Tessier, and a few other secular clergymen such as the New England convert, Father John Thayer. The Select Body of the Clergy had granted the Bishop an annual salary and supported their own members on the missions, but in New York, Philadelphia, Charleston, Norfolk, Boston and certain other communities there were forming small congregations with resident clergymen whose chief support came from the contributions of the faithful.

Carroll's immediate task, as shown in the first Synod which met in Baltimore in 1791, was to establish his spiritual jurisdiction and to make clear to his clergy and their flocks that the diocese of Baltimore had superseded the Select Body of the Clergy or any other organization. On this basis the Synod turned then to those rules for the administration of the Sacraments and for the public services which were to be proper to the United States. In this, the Synod warned the priests against adopting American customs not befitting their dignity. For a while Carroll took over the three districts formerly set up by the Select Body of the Clergy, making the superiors of the northern and southern districts his vicars general and sending other vicars to the scattered missions beyond the Allegheny Mountains. To prepare additional priests for his diocese Carroll aided the establishment of Georgetown College in

¹¹Peter Guilday, *A History of the Councils of Baltimore (1791-1884)* (New York, 1932), treats of this synod of 1791, 60-71.

the District of Columbia and the Sulpician Seminary of St. Mary's in Baltimore.

Carroll's first episcopal activities concerning Philadelphia, New York, and Boston and particularly his visitations to these distant towns were undertaken to maintain order and discipline against disobedient clergymen and rebellious trustees. Beyond the needs of pastoral instruction, the problems of the new bishop had little to do with dogma; one might say that any fears that Rome may have felt of the rise of heresy in the Americans' desire for a national organization were mostly groundless. Despite the Gallican training of so many of the early American prelates¹² probably the chief characteristic of American Catholicism from this early day has been its constant devotion to papal authority. Neither was American Catholicism of that day troubled with problems of civil politics. Even though there were still some state laws which did not follow the Federal rule laid down in the First Amendment of the Constitution and which discriminated against Roman Catholics,¹³ there was no tendency on the part of the Federal government to interfere in the administration of the Church nor any effort by the clergy to seek political favors. The lack of numbers gave the Catholics of that day little inclination to bring their religion into politics and the social position of Catholics was determined chiefly by the circumstances of their birth and property. The major public problem of the new bishop was to help his flock adopt the proper traditions in conformity with its position as the first Catholic minority enjoying liberty in the modern English-speaking world.

From their English tradition the dominant Catholic group in Maryland and Pennsylvania seemed reconciled to a minority role in a country whose literature, political theory, and social institutions had come from the mother country. Their fear of the effects of having a bishop, their promise of loyalty to Washington, and their hesitancy about external manifestations of Catholic worship

¹²Orestes A. Brownson makes the most pointed charge of Gallicanism in his article on Archbishop Martin John Spalding in *Brownson's Quarterly Review*, II (last series, January, 1874), 111.

¹³Guilday, *Carroll*, I, 110-15.

were products of English traditions and colonial persecution. These English traditions were in time to be modified partly by the practice of American freedom but chiefly by the coming of Irish and other immigrants from countries where Catholicism was still supreme. The efforts of the Carrolls, the Brents, and the Digges in Maryland, of Thomas Fitzsimons, Matthew Carey, and Robert Walsh of Philadelphia and of some other Catholics to achieve political and social position showed that in their minds their Catholicism was in no way a badge of inferiority. But these acted, as Catholics have usually acted in social and political matters in the United States, as individuals. Bishop Carroll, while he had at heart the salvation of the individual Catholic, had as his major concern institutional Catholicism, the formal and public Catholic organization. He and his immediate successors aided and witnessed the delineation of the first role of the Catholic minority in the United States. During the next fifty years the Catholic population was notably increased by Irish immigration and by conversion, but the number of Catholics was not sufficiently large to cause any general alarm among non-Catholics. New priests were ordained, others came from Europe, new dioceses were created but in general the Catholic minority in the United States at the beginning of the 1820's was chiefly an Anglo-American Catholic minority, increased at the edges by French and Irish immigration but culturally an American group with its centers in the seminaries and colleges of Maryland and the District of Columbia.

In the thirty years after Carroll's appointment the Catholic minority acquired certain definite characteristics which were to be modified by the events of the later nineteenth century but which must be studied if one is to understand the role of the Catholic minority then and in later American history. The great problem in the history of the Catholic Church in the United States was not the development of any special dogmatic or moral theory but the working out, in the newly won freedom of the United States, of certain substitutes for civil establishment and the other political relationships that had accompanied the growth of the Church in Western Europe.

Most of these characteristics of the Catholic minority were the product of American conditions. Perhaps the most notable characteristic of the new diocese—a deep respect for episcopal power—was the direct result of the problems that had beset Father John Carroll during his brief career as Prefect Apostolic¹⁴ without full episcopal powers. During that brief time the disturbing activities of the former chaplains of the French fleet, Father Claudius de LaPoterie and Father Louis Rousselet in Boston,¹⁵ the schism of Father Andrew Nugent¹⁶ in New York, and the other rapidly occurring difficulties the Prefect Apostolic met in establishing his authority in local situations, as well as the growing need of additional clergymen, quickly convinced the majority of the Select Body of the Clergy and Father Carroll himself of the need of episcopal authority if Catholicism was to remain vital in the American missions. The fact that the Select Body sought and obtained from Rome permission to elect its own bishop because of the fear of foreign influences merely served to emphasize this confidence in hierarchical order. In turn the high character of Bishop Carroll and his fearless action after his consecration in settling local disorders gave to the Catholic doctrine of sacred orders a practical importance in American Catholic life. Later on, the recognition of the great distances separating the increasing groups of Catholic settlers caused Carroll to urge the establishment in 1808¹⁷ of additional episcopal sees at Boston, New York, Philadelphia and Bardstown and the provision for continuity in the central see of Baltimore by the coadjutorship of Leonard Neale. From this early period the major unit of the Catholic Church in the United States has been the bishop with his flock no matter what were the geographical or national divisions of the dioceses. This is, of course, the normal unit of Church government but it has been particularly important in the United States where American freedom from political or nationalist connections has emphasized the spiritual character of the Church's mission.

¹⁴Cf. *ibid.*, 202-342.

¹⁵Robert H. Lord, John E. Sexton and Edward T. Harrington, *History of the Archdiocese of Boston*, 3 vols. (New York, 1944), I, 375-446.

¹⁶Guilday, *Carroll*, I, 262-82.

¹⁷*Ibid.*, II, 567-601.

Bishop Carroll had at his command many remarkable priests whose fidelity in mission work and willingness to take over the difficult assignments made his efforts fruitful. Among these, besides the old Maryland Jesuits, must be recognized the Dominicans, Fleming and O'Brien, some Franciscans, some Augustinians and the Sulpicians. From these Rome chose most of the early bishops, such as Bishops John Cheverus of Boston, Michael Egan, O.F.M., of Philadelphia, and Benedict Joseph Flaget, S.S., of Bardstown and his own coadjutor, Leonard Neale. The failure of efforts by interested persons to establish rival and independent bishoprics, such as the proposed bishopric of the Ohio Company and the one proposed for the Oneida Indians,¹⁸ and the attempted schismatic bishopric of Virginia¹⁹ served again to emphasize the important role the American bishop was to retain in the history of the Church in the United States.

Only once was this respect for the episcopate endangered, when confusion and intrigue caused the appointment in 1820²⁰ of three Irish bishops to the sees of Philadelphia, Richmond and Charleston without consultation with the Maryland-Pennsylvania clergy. Archbishop Ambrose Maréchal in the spirit of Carroll went immediately to Rome to explain the true condition of the American missions and to prevent the recurrence of similar errors. Of these three Irish appointees, Bishop Patrick Kelley of Richmond soon resigned, Bishop Henry Conwell of Philadelphia later was displaced by the more capable Bishop Francis Kenrick, and Bishop John England, although not of the tradition of Carroll, became himself a glory of the American episcopate. And Rome made provision for American nominations for future vacant American sees.

Next in importance to the problem of episcopal authority in the newly organized Church was the management of the temporal goods of the Church. At the outset of American independence

¹⁸*Ibid.*, 392-418.

¹⁹Peter Guilday, *The Catholic Church in Virginia (1815-1822)* (New York, 1924), treats of the Norfolk schism in Chapters IV and V.

²⁰Peter Guilday, *The Life and Times of John England*, 2 vols. (New York, 1927), treats of Maréchal in volume one, particularly of his differences with England. I do not entirely agree with his interpretation of the character of Maréchal, cf., I, 283-98.

the American missions had the advantage of the corporation of the Select Body of the Clergy. Although the purpose of that corporation was the preservation of the property for the benefit of the Society which they hoped would soon be restored, the immediate benefits were felt by the whole Catholic body of Maryland and Pennsylvania as yet too poor to support its own clergy. In later decades France, Germany, and Austria were to furnish funds for the American missionary effort but during the critical period of foundation the first diocese drew its support from this corporation. Bishop Carroll sought immediately to enable his diocesan organization to carry its own burdens and began to distinguish between what belonged to the members of the Society soon to be restored and what belonged to the diocesan organization. There was for many years, especially after the restoration of the Jesuits, a minor controversy²¹ between the Bishop and the Society about the proper division of the goods of the Church between the diocese and the Jesuits, but the welfare of the missions was never permitted to suffer from the dispute. The material welfare of the diocesan organizations was one of the chief problems of the American episcopate.

But there was a greater controversy over the question of Church property decided during these first decades. With the Church in the United States really politically free there arose the possibility of some civil organization to take the place of the State and to care for the property and material welfare of the Church. In American law the Church was not recognized as such and while this fact freed Bishop Carroll and his co-workers from political interference it did hamper him in legally controlling the properties of the Church.²² Carroll alone was not financially able to build the churches needed to provide services for his flock scattered so widely from Maine to Georgia and from the Atlantic to the Mississippi. Outside of contributions from the Select Body of the Clergy in Maryland and an occasional gift of French or Spanish

²¹Hughes gives many documents on this controversy, *op. cit.*, *Documents*, I, Part II, 822-1008.

²²Peter Guilday, "Trusteeism," *Historical Records and Studies*, XVII (March, 1928), 7-73.

consuls, the self-sacrifices of the laity alone made possible the erection of modest churches or chapels in communities where Catholics were more numerous. But while these Catholic laymen were providing the churches, they also felt the desire, particularly where national prejudices were involved, to demand some control of the church even to the appointment of the pastor. An important factor in this tendency was the American process of incorporation by which the trustees of the corporation were recognized as having the ownership of the property.²³ Either ecclesiastical property had to be incorporated in the name of the bishop, involving certain difficulties of inheritance, or in the name of the trustees of the corporation. The latter custom was the usual way among most Protestant congregations in the country and even had some European Catholic antecedents in the managers of the *fabrique* of the church and in the right of patronage obtained in many cases by trustees or benefactors of the church. In establishing the American tradition Carroll and his successors had two antecedents. The first was that of the ex-Jesuits and their Select Body of the Clergy who supported their mission from the proceeds of their own plantations without contributions from the faithful, but such a plan could not care for the growing number of missionaries and chapels. Consequently, Bishop Carroll and the other bishops were increasingly dependent upon the second means, the contributions of the faithful. At first Carroll, lacking sufficient clergy and funds to establish regular parishes and impressed with the zeal of many Catholic laymen, was content to let the lay trustees incorporate the church property, usually with the existing pastor as a member of the board. Soon, however, personal jealousies between clergymen and between the laymen, national prejudices, and wilful disobedience produced an outbreak of schismatics in Boston, New York, Philadelphia, Baltimore, Norfolk, and Charleston, sometimes with the trustees demanding the appointment of pastors

²³Cf. Patrick J. Dignan, *A History of the Legal Incorporation of Church Property in the United States (1784-1932)* (Washington, 1933), and Edward Louis Heston, C.S.C., *The Alienation of Church Property in the United States* (Washington, 1941) for canonical treatments of these controversies.

and at other times with the pastors defying the bishops. Carroll himself at first appealed to the religious sense of the rebellious trustees and clergymen and when that appeal failed he imposed suspensions upon disobedient clergymen, interdicts upon alienated churches, and excommunication upon rebellious trustees. By the time of his death in 1815 Carroll had begun to assert ecclesiastical authority over the property of the churches. His successor, Archbishop Leonard Neale, and after him Archbishop Ambrose Maréchal, continued the struggle during their regimes; but only after the Roman intervention in the Philadelphia controversy, by which the freedom of the bishops in spiritual matters was demanded, was the conflict fully resolved. The principle of episcopal control of church property set forth by Pope Pius VII was later incorporated in the decrees of the Baltimore Councils and eventually the episcopal authority over the temporal goods of the church was enforced despite the American problem of incorporation.

Only in the perspective of time do we realize the importance of the proper solution of this conflict. Because of the intervention of Rome²⁴ in the case of Bishop Henry Conwell of Philadelphia, in which the concessions of the aged Bishop to the trustees were cancelled, and because the Catholic solution of the problem in insisting on episcopal control seemed so diverse from that in the Protestant congregations, it might seem that the Catholic solution departed from American democratic ideals. Actually the solution preserved the full religious liberty of the Church in the only way consonant with the religious freedom of the United States. The American Catholic way was not the way of the established churches of Europe, neither did it make the Church beholden to the accidental holders of temporal power in the person of non-spiritual trustees who would be hampered by material and political considerations. The Catholic Church in America by this decision has been free to devote its means to sacramental good and spiritual purposes. While there have been local lapses from the decision of Carroll,

²⁴A translation of the papal letter of Pope Pius VII on the trustee controversy is given in the *Records of the American Catholic Historical Society*, XXV (December, 1914), 325-30.

Neale and Maréchal in which national prejudices have embroiled for a time the material welfare of the Church in racial or political divisions, the liberty of the Church in this country to devote all its resources to religious purposes and its independence from political chicanery was a direct result of this victory of the bishops in these early days over local pressure, national and racial prejudice, and political interference. Trusteeism²⁵ was an unfortunate name for the conflict because so many of the trustees were and have always been very zealous for the welfare of the Church. Similarly the preservation of the material liberty of the Church has been wrongly pictured as a rejection of American democratic methods²⁶ instead of the fulfillment of the principle of religious liberty under the Constitution.

A third characteristic of the Catholic minority in the United States began to take shape in the years immediately before John Carroll became bishop. Undoubtedly the efforts of the ex-Jesuits in Maryland to preserve their properties for the day of the restoration of their Society played an essential part in determining the source of leadership of the early Catholic minority, and John Carroll became unwittingly the chief figure during his lifetime in a struggle to determine whether there was really to be a distinctively American church organization or not. This was not a question of doctrine nor a question of loyalty to the Holy See. It was the question whether in this new country with its distinctive culture and tradition the Church would find the proper milieu for growth and expansion. As Archbishop John Hughes later pointed out,²⁷ those who claimed that the Catholic Church would lose its membership once the Catholic immigrant reached the freedom of American shores could find their answer especially in the loyalty and increased numbers among the descendants of the Maryland Catholics. These English and American Catholics, and among them should be in-

²⁵Hugh J. Nolan, *The Most Rev. Francis Patrick Kenrick, Third Bishop of Baltimore, 1830-1851* (Philadelphia, 1948), 61-101.

²⁶Henry K. Rowe, *The History of Religion in the United States* (New York, 1928), 117-9, and Willard L. Sperry, *Religion in America* (New York, 1946), 207-8.

²⁷*Complete Works of Most Rev. John Hughes, D.D., Archbishop of New York*, 2 vols. (New York, 1865), II, 127-29.

cluded the older Irish, French and German families, became the cultural leaders of the Catholic minority. For while to those immigrants who had no special attraction towards the dominant English character of the American people the fact that the country was dominantly Protestant was actually a reason for attempting to make the Catholic body separate from the dominant culture, it was chiefly to Carroll, Neale, and Maréchal that we owe the establishment of the tradition of an American Catholicism in which American democracy and Anglo-American culture formed the nucleus of Catholic intellectual leadership in the United States. This development began in this early period.

At first after the Revolution, when the English bishops no longer cared to administer faculties to the American missions and the American clergy feared the effect of the appointment of a bishop from abroad in the republican United States, the Maryland clergymen under the leadership of Carroll asked for the appointment of a superior of their own choosing to preside over their governing Chapter. A fortuitous series of exchanges between the American minister in Paris, Benjamin Franklin, and the Papal Secretary of State through the Papal Nuncio in Paris had led to the appointment of John Carroll as that superior. In this first appointment Carroll was not the choice of his fellow missionaries, who nominated Father John Lewis, but he had been a prominent member of the Select Body of the Clergy, the nucleus of the future diocesan organization. To his fellow missionaries, however, once Rome had appointed him Prefect Apostolic, Carroll was for them now the proper ecclesiastical superior who would combine the qualities of American rule to safeguard the liberties and the property of the Catholic minority and the needed episcopal authority. Accepting the urgency of the situation Rome granted special permission for the American clergy to elect their bishop and Carroll was elected by his fellow priests as the first Bishop of Baltimore.

Of course the manner of election had no effect on the dignity or the power of the new bishop but the American election of Carroll did effect two things. First it eliminated the fear of the American missionaries that they would become the appendage of a foreign

hierarchy²⁸ to the damage of their civil and social position in the newly declared republic. More important, however, was the recognition of the Anglo-American group, centered in Maryland and Pennsylvania as the nucleus of the future American Catholicism. Behind Bishop John Carroll was a tradition of American Catholicism already one hundred and fifty years old. Also, before Carroll's appointment prominent Maryland Catholics had publicly expressed the loyalty of American Catholics to the new government in their letter to George Washington, and the first President had in turn given assurances that their fellow Americans would respect the rights of the Catholics in recognition of their share in the Revolution. Further, in the person of the first Bishop non-Catholic Americans found a fellow American of recognized loyalty. Thus, within a short time the assertion of Carroll's authority in the trustee controversies and his action against national schisms meant not only the assertion of his spiritual power but also the assertion as a fact that the Church in the United States was to be American in its civil and social aspects. Carroll's appointment also gave to this nucleus of American Catholics the dominant position in the Church in the United States.

This cultural leadership was not always acknowledged. The Anglo-American group was never heavily reinforced except among the American converts. Yet, the French and Irish in Boston, the Irish in New York and Norfolk, the Germans in Baltimore and Philadelphia soon learned from Carroll that the Catholic congregations in this country were expected to give up their foreign allegiances and customs and to get in line with the American group not only in spiritual matters but in language, custom and loyalty.²⁹ Nor did the character of this loyalty change when the French priest,

²⁸Jules A. Baisnee, *France and the Establishment of the American Catholic Hierarchy, the Myth of French Interference (1783-1784)* (Baltimore, 1934), rejects the charges of Guilday in his *Carroll*, I, 178-201, and Shea in his *Carroll*, 212-24, that the French tried to gain control over the American Church. Guilday and Carroll do refer to the efforts of Archbishop Troy of Dublin to interfere later in American episcopal appointments but without attaching as great an importance to them.

²⁹Father John Carroll so wrote to the French and Irish in Boston just before leaving for England for his consecration, urging them to "strive to form, not Irish, nor English, or French Congregations & Churches, but Catholic-American Congregations & Churches." Lord, Sexton and Harrington, *op. cit.*, I, 431.

Ambrose Maréchal, succeeded Leonard Neale to the archiepiscopal see of Baltimore. For a short time in the appointment of Bishop Henry Conwell to Philadelphia, Bishop Patrick Kelley to Richmond and Bishop John England to Charleston, the cultural unity of the American Catholic group was threatened, but the energy of Maréchal who went to Rome itself to stop foreign intrigue finally secured permanently the cultural unity of the Church in the United States. Time and the flow of later European immigration did submerge the Anglo-American cultural leadership but whether the actual leaders were English, French, Irish, or German in ancestry, the cultural unity and the dominance of an American loyalty once established during these first decades has been constant in American Catholicism.

During these thirty years, from the time John Carroll returned from England to Baltimore as its first Bishop until Ambrose Maréchal returned from Rome in 1821, the essential characteristics of the American Catholic minority in the United States had been established. During the next few decades the great influx of Irish and German immigrants was to make difficult the maintenance of these three dominant qualities of American Catholicism. The lack of episcopal chapters and the failure to develop any strong national organization among the American bishops have served to emphasize the dominance of episcopal authority in American Catholicism. This has been emphasized also in the liberty of American bishops in the control of church property secured amid the trustee controversies of these early decades. This control is the chief point of criticism of those who profess to fear the Church and is the envy of Protestant organizations who must pay heavy tribute to those who manage the material goods of their congregations. The dominance of the Anglo-American cultural group in the Church has been the hardest of these three characteristics to maintain because of the overwhelming waves of immigrants who become culturally American only in succeeding generations. But these characteristics did survive, although it must be added that the later immigrants rejecting the defeatism of the old Anglo-American minority added to the original qualities new strength and vigour so greatly needed in the face of the nativist persecutions and the poverty of immigrant life.

THE GOVERNMENT OF THE CATHOLIC CHURCH*

BY ELIZABETH M. LYNKEY

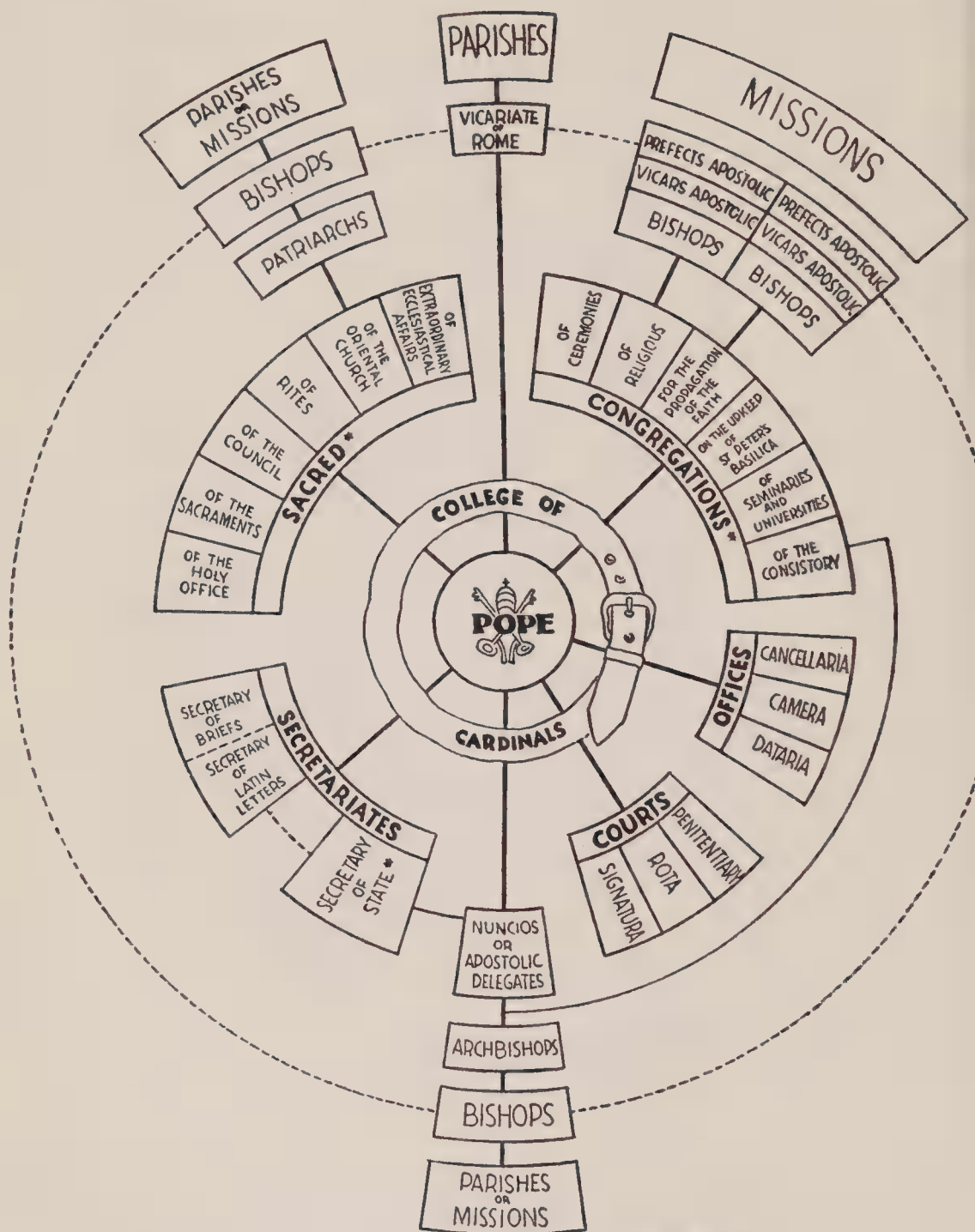
I

THE FORM AND FUNCTIONS OF CHURCH GOVERNMENT

MANY Catholics, taking the government of the Church for granted, may wonder why it should be a subject for discussion. For persons not of the Catholic faith, the idea of a government of the Church often presents difficulties. For some of them, even the term "church" is a vague phrase; many people constantly misuse such terms as "hierarchy", "Vatican", and "ecclesiastical power." Some people shrink from an examination of ecclesiastical organization because they have a deistic concept of God, and think of religion as a private affair; or, identifying organization with power, they fear the Catholic Church because of its size, extent, and form. Others who regard all life as a struggle for personal dominance look on all Catholic clergy as imbued with the desire for power over others. These critics find it easier to generalize their prejudices than to examine the facts of the organization and functioning of the Church. Moreover, in church government as in other governments, there is much work of a discretionary character, concerning which officials must keep silent. Such silence lends mystery to the government. All things considered, it is surprising how many Catholics know only that the government of the Church is centered in some way around the Pope and the bishops. What the government of the Church is, what forces brought it into being, what powers it exercises, how it works, how it compares with other governments and other powers is to them a mystery, not a matter for examination.

One cannot approach the study of the form and functioning of government in the Catholic Church without indicating what the

*These papers constitute the fourth annual series of Meehan Lectures, delivered before the Society at Midston House, New York City, on March 5, 12, 19, 1950. They are printed as delivered with the addition of some factual information concerning events subsequent to the lectures. This added material has been prepared by the Society's Editor of Publications. Dr. Lynskey is Professor of Political Science in Hunter College of the City of New York.



GOVERNMENTAL STRUCTURE OF THE CATHOLIC CHURCH

Church is, and what or whom it may be said to govern. At first glance it is evident that it has little sovereignty over land, except in the tiny domain of Vatican City, Castel Gandolfo, and a few other enclaves of land under exclusive papal control. No longer does it administer the old territories of the Papal States, and provide soldiers, police, judges, and tax collectors. Yet all over the world there is much land occupied by churches and chapels, seminaries, hospitals, universities, schools, and other institutions which perform quasi-public services. These institutions are visibly foundations of the Catholic Church even as the public buildings of states are obviously governmental.

Guides in so-called "Catholic countries" often point out Catholic institutions as evidence of the wealth and "power" of the Church. At once an uninformed observer thinks of Rome and of the hierarchy. Seldom does he take time to learn that the property he surveys belongs to a diocese or to a religious order rather than to the Pope. He cannot normally know, nor can he easily find out, whether it is operating under a mortgage. Seldom does such an observer reflect upon the numerous lives, through many generations, that have gone and will go into maintaining the property in good condition. Seldom does he realize that the ownership and control of these institutions, although often vested in the bishop by name, is usually exercised within the framework of the civil law, with such exemptions as the law accords to the property because of its character or the use to which it is put.

What, then, is the Church, and what its jurisdiction? Like its founder, Our Lord Jesus Christ, the Church claims two natures, divine and human. This very claim constitutes a stumbling block for those who recognize only material values, who see all institutions in terms of purely human growth. The Church is several things at one and the same time. It is a mystical body, a communion of souls in a spiritual union, on earth, in Purgatory, and in Heaven—the Church militant, suffering, and triumphant. It is a union of souls—bishops, priests, and people alike—in communion with God in the Holy Eucharist, in communion with the Holy Ghost in one faith. On earth, in human form, this body, this union, is

a society of bishops, clergy, and laity entrusted by its Founder with responsibility for living holy personal lives and for teaching all men the truths by which they live. This society is organized in pyramidal form into a hierarchy of order which includes the four "minor" orders (ostiariat or doorkeeper, lecturer or reader, exorcist, and acolyte) and the four "major" orders, subdeacon, deacon, priest, and bishop. In the Eastern Rites, the subdiaconate is enumerated rather among the "minor" orders.

A. THE BISHOP

When the average man speaks of the hierarchy, he usually means the members of the episcopal order or rank. The Church, in using this term, refers to the whole pyramid of order, all the men who share in some measure the special character of those who enter the service of God. It also includes the laity in its apostolate of Catholic Action. It is principally by virtue of the right of order, conferred in Holy Orders, that the sacraments are administered and sacramentals blessed, that Mass is celebrated. It should be noted, however, that these functions are also exercised in virtue of the right of jurisdiction. In some cases the possession of the power of orders without the power of jurisdiction would result in the invalidity of the act performed. A validly ordained priest, for example, is, under normal circumstances, incapable of administering the Sacrament of Penance unless he possesses jurisdiction over the penitent. In the hierarchy of order, all bishops possess complete power, and can reproduce it in others by the laying on of hands in ordination and in the consecration of other bishops.

Bishops are the successors of the Apostles and possess apostolic authority in their threefold character as priest, teacher, and pastor or ruler of the souls of the faithful. In their dioceses their jurisdiction is "ordinary", not delegated. It is the jurisdiction attached by Canon Law to the office they hold. The body of bishops as a whole, all of the bishops of the world, succeeds to the body of the Apostles in a collective sense.¹ That is, bishops succeed individually to the Apostles in the essential right of sacrifice and of absolution,

¹E. Taunton, *The Law of the Church* (London, 1906), 81.

and in the integral power of ordaining; but the whole body of bishops succeeds collectively to the universal power of jurisdiction, under the supremacy of the Holy Father. In the hierarchy of order the Pope, as bishop of Rome, possesses no more sacramental power than any other bishop. He is set above other bishops, singly and collectively considered, by virtue of the doctrine of the primacy of the See of Peter, accepted by all the faithful, and by the doctrine of papal infallibility, which declares his definition of dogma to be infallible, on those rare occasions when he speaks *ex cathedra* as Vicar of Christ.

The elevation of a priest to the rank and office of bishop, in established areas of the Church, is decided upon by the Consistorial Congregation; in the missionary areas, by the Congregation for the Propagation of the Faith, or on the recommendations of a superior general or Cardinal Protector of a religious order. In each case the approval of the Pope is required. The Consistorial Congregation continually receives lists of priests recommended for elevation to the episcopate. Each bishop is supposed to send in a list every two years, to keep the lists up to date.

Bishops have been nominated in various ways during the long history of the Church in the West. In modern times four different methods have been utilized. Free nomination was reserved to the Pope alone in all of Italy, in Mexico, for all vicariates apostolic *in partibus infidelium* and in France in 1906, after the Concordat of 1801 had been violated.² Presentation on the part of princes was allowed to some Catholic sovereigns or whenever it was accepted and agreed to by papal constitutions or by concordat. This method was used in Austria, Bavaria, Spain, Portugal, and in many of the South American states, but its use has diminished as princes have been dethroned, or concordats have lapsed. In some parts of Germany and Switzerland, the ancient method of election by cathedral chapters, subject to papal confirmation, was used.³ When the United States was a missionary territory, priests of the archdiocese at provincial synods were asked to submit a

²F. Bargilliat, *Praelectiones Juris Canonici* (Paris, 2 v., 1913), I, 434.

³J. B. Sägmüller, *Lehrbuch des Kirchenrechts* (Freiburg im Breisgau, 1904), 57.

list of nominees for episcopal rank, and this list was enclosed by the archbishop with his own list when he sent the report of the synod to Rome. The list usually contained three names from which the Pope would choose one. This consultative system was also used, with minute differences, in Canada, England, Ireland, Belgium, and Holland. All of these four methods give opportunity for obtaining the views of more than one man in close relationship to the person under consideration.

Canon law sets down definite norms for the episcopacy. Although the Pope may dispense from one or more of these established qualifications for the good of the Universal Church, the regulations in force make it improbable that the Pope will name unsuitable candidates. The nominations recommended by bishops are checked by the Consistorial Congregation, sometimes during regular *ad limina* visits made by the bishops to Rome, sometimes by personal investigations made by nuncios.

Patriarchs of the Eastern Church are elected by their suffragan bishops, subject to the approval of the Pope. Bishops of the Eastern Church were formerly appointed from lists of three nominees submitted by synods of Eastern provinces,⁴ but are now apparently nominated by bishops as in the Western Church.

In classifying the functions of Pope and bishops ecclesiastical authorities do not use the terms used by political theorists who classify governmental activity as fourfold: legislation, execution, adjudication and administration. In contrast, the Church separates the sacramental power of order and the spiritual power of teaching from the other powers which bishops exercise in developing and maintaining the Church in their dioceses. It classifies all such legislative, executive, judicial, and administrative powers under the one term "jurisdiction." This power of "jurisdiction" is in essence the pastoral power. The power of orders and of teaching, while distinct from the power of jurisdiction, are never exercised without a concomitant exercise of the pastoral (i.e., jurisdictional) power. Within his diocese each bishop has the fullness of jurisdiction for the fulfillment of his mission, but this jurisdiction is that

⁴Bargilliat, *op cit.*, I, 435.

of the Church as a whole, and his exercise of it is limited by the boundaries of his diocese, as set by ecclesiastical law. Within the diocese, subject to the existing law of the Church Universal, complete authority of legislation, policy making and enforcement, and judicial decision are his.⁵ Within his diocese he may on occasion act as the delegate or representative of the Holy See on matters reserved to the Holy See, as where he may investigate the authenticity of spiritual phenomena, or the background of a candidate for beatification.

An examination of the work of the bishops in accordance with the classification of powers made by the Church therefore indicates that they exercise the power of jurisdiction in the process of maintaining the powers of order and of teaching. It is by virtue of the power of order that they consecrate churches and altars, bless bells and the holy oils. By virtue of this same power of order, they or their delegates administer the Sacrament of Confirmation, by which those confirmed may gain in grace to live as defenders of the faith. In Confirmation bishops seal upon the brows of the confirmed the mark of their Christian character.

It is also by virtue of the power of order that bishops administer the Sacrament of Holy Orders to the men they have selected or accepted and trained for the priesthood. When they administer Holy Orders, in a governmental sense bishops are setting up an ecclesiastical staff which administers five other sacraments, Baptism, Penance, Holy Eucharist, Matrimony,⁶ and Extreme Unction. They thus continue the life of the Church both as a communion and as an organized body, by continually adding to the ranks of the clergy, men marked for the service of God, men who possess the privilege of renewing the sacrifice of Christ upon His altars, and the obligation of serving the bishop in his diocese. In one sense the bishop may be said to act in furtherance of all three of

⁵Various substantial limitations are in practice placed upon a bishop's authority by Canon Law. For example, in the matter of judicial decision, appeal can be made from his judgments. Still further, at any stage in judicial proceedings before a bishop, any of the faithful may refer his case immediately to the Holy See for judgment.

⁶The Sacrament of Matrimony is actually administered by the parties to the marriage, not by the priest.

his powers when he ordains. He transmits the spiritual character and powers of the priesthood under the power of order ; but under the power of jurisdiction, he may be said to act as would the civil service commission of a secular government in the recruiting and training of personnel. Moreover, it is through the preaching and the catechetical work of the priests of the diocese that he carries out a large portion of his power of teaching.⁷

It is the aforementioned power of teaching that a bishop exercises when he passes upon or approves the publication of missals, prayer books, and other forms of religious reading matter. In using this power, he points out books, magazines, plays, cinematic or otherwise, or any form of teaching or indoctrination contrary to faith or dangerous to morals. Action has recently been taken under this power to condemn the presentation of erroneous principles as Catholic doctrine in the Archdiocese of Boston. The bishop, as priest and teacher, determines whether doctrine as taught by priests under his jurisdiction is sound, and whether their conduct is proper. Exercising his power of jurisdiction, he may take away from a priest the privilege of serving as one—of offering Mass, of hearing confessions, or of performing any ecclesiastical functions—if the priest's teaching has become heretical or his conduct flagrantly scandalous.

Under his teaching power the bishop exercises authority over convents and monasteries in his diocese, except those which may have been founded under the sole authority of the Holy See. Not every diocese has such exempt foundations. It is the bishop who invites religious orders to establish themselves in his diocese to undertake the works of teaching as well as the care of the sick and of the poor, the provision of retreat houses, or the labors of contemplation and prayer. On his own authority he supervises those which are under his charge ; when he formally visits those under the sole authority of the Pope, he does so at the request and as a delegate of the Holy See.

These, then, are the powers of a bishop as priest and teacher.

⁷The regulations of Pius X in regard to catechizing and preaching, and the constitution of Benedict XV on preaching are contained in the new Code of Canon Law, published in 1918.

It is obvious, however, that the effective exercise of such powers necessitates the possession also of powers of a general governmental nature—those powers which the Church classifies as jurisdictional or pastoral. It is difficult, if not impossible, to separate the episcopal powers one from the other. In any case such separation would be inaccurate. The powers of order, of teaching, and of jurisdiction may be distinguished for purposes of study and understanding, but in their exercise they are inevitably inter-related.

It is by virtue of his power of jurisdiction that the bishop may establish religious foundations, provide courts for cases of a spiritual character, or apply ecclesiastical sanctions such as the censures of suspension, interdict, or even of excommunication. Furthermore, it is by virtue of the power of jurisdiction that a bishop controls diocesan revenues and expenditures, owns or controls real property, and deals with public officials on matters of common interest.

From the governmental point of view, it is hard to understand people who condemn the Church as worldly when it appears to prosper in material ways. Granted that there may be times when clergy or laity or both may be unduly interested in the things of this world, the church must have a material base for its spiritual mission. It is human and earthbound as well as divine, as was its Founder. For dioceses to be well run, bishops should possess the gifts of businessmen, either in themselves or on their staffs. Not all are so fortunate. In order to prepare men for ordination as priests, bishops must establish seminaries or share with other bishops in the support of seminaries. In order to establish seminaries, diocesan colleges, and hospitals, and also to provide for building parish churches and schools, bishops must own or control the use of land.⁸ Before they can ordain priests there should be some prospect of funds to guarantee these priests their livelihood, though hardly an affluent one.

Furthermore, when inviting religious orders to serve in their dioceses, bishops should be able to assure them adequate residence

⁸The deeds of land owned by the Church within a diocese are all held in the name of the bishop. He cannot, however, dispose of such property at will.

facilities, schools, or hospital buildings, or the opportunity to raise funds for these mundane but necessary purposes. Foundations of religious orders have independent sources of income in fees and donations, and in assistance from other communities of the same order; but in many dioceses, particularly in the United States, some foundations of this type receive episcopal subsidies from the proceeds of the annual diocesan charities collection.

Among the bishop's sources of revenue are annual parish contributions for cathedral and diocesan administrative expenses, for the diocesan seminary, and the proceeds of such other extraordinary collections as he may request. He or his delegates set the quotas which each parish is expected to contribute. In addition to the proceeds of such collections, a bishop receives a gift called a *procuracion* when he makes a parochial visitation, and he both inherits property for the Church and receives, at times, considerable sums as pious donations. Such gifts, in North America at least, probably occur more frequently in large urban centers where wealth is concentrated than in predominantly rural areas. The bishop must render a financial accounting to the Holy See on his quinquennial visit to Rome, and on other occasions as well. He must, for example, submit to Rome every three years a detailed report on his seminary including an exact account of income, expenditures, and debts.⁹ Most American bishops control parish finances through a system of trustees under episcopal control. Two laymen from each parish, recommended or appointed by the pastor, and approved by the bishop, are theoretically consulted on parish finances; they serve as members of a committee or board for this purpose. The other members of the board are the bishop, his vicar-general, and the pastor of the parish. Under such a system, the laymen have little to say, and may even be informed after a decision is made, rather than consulted prior to it. Since their office is appointive rather than elective, trustees cannot be considered to represent the laity of the parish. If the parish wishes to create a cooperative, or establish a credit union, the bishop's approval must be asked, just as when a parish wishes

⁹Cf. *Acta Apostolicae Sedis*, XVII, 547 seq.: Decree of the Sacred Congregation of Seminaries.

to borrow for building purposes. Even as a state legislature usually decides the limits beyond which cities may not go into debt, so the bishop or the delegate decides the limits beyond which a parish may not borrow. The law of the Universal Church in turn determines the limits beyond which the bishop himself may not borrow or allow a parish to borrow.

In further fulfillment of their power of jurisdiction, bishops set up parishes and determine their boundaries.¹⁰ Unless these parishes have historic rights under canon law due to the conditions of their establishment, bishops may divide or, more rarely, consolidate such parishes as are already in existence. An example of such parochial foundation is the ring of small parishes which Cardinal Suhard, as Archbishop of Paris, set up in the "red belt" of that city. Bishops also determine, under similar limitations of historical law, whether and when a parish shall build a church, school, rectory, or recreation hall. In some dioceses the bishop or the chancery office decides if and when a church may buy an organ, repair a roof, erect defenses against pigeons, install a new furnace or new pews. In other dioceses such decisions rest with the pastors of parishes, who must nevertheless report their expenditures to the diocesan office.

It is the bishops, however, who order special collections on specified Sundays for Peter's Pence, for the Catholic University of America at Washington, D. C., for diocesan charities, for foreign missions and foreign relief. Some bishops delegate a part of the financial work of the diocese to appointed officers, with varying degrees of discretion. In parts of Europe, where the Church has had a long history, and where it may have lost some of its major sources of income, the powers of bishops over money matters as well as their powers of appointment to benefices, are more circumscribed than in the United States, where bishops in the past have exercised greater powers of discretion accorded to them because of the missionary character of the country.

Probably the most important decisions a bishop may make under his power of jurisdiction are those which concern the assign-

¹⁰A. Mater, *L'Église Catholique* (Paris, 1906), 298.

ment of priestly personnel to particular spheres of work. Not only are priests appointed as curates and eventually as pastors of parishes, but they may be assigned, with or without parochial duties, as chaplains or administrators in charitable or social work, or as members of diocesan boards of education, or as teachers in high schools, colleges, and seminaries. Their ordinaries may decide to send them for further education and special training to universities abroad or in their home lands. All Catholics know how parishes vary in character, due to differences of nationality, spirituality, education, age, occupation, taste, and wealth of the laity as well as to differences in the qualities and interests of their clergy. While all are doing the work of God, not all are working with the same quality of spirit or even with similar means. Here bishops must exercise tact and sound judgment in making original appointments and in advancing their clergy.

The Church has known nepotism in high quarters as an evil, and erects safeguards against it. For the purpose of securing impartiality in promotions to the rank of pastor, more and more bishops, especially in large dioceses, are using synodal examiners to survey the qualifications of clergy for such positions. Under this system, the clergy of the diocese, assembled in diocesan synod, elect six examiners who serve for ten years.¹¹ These examiners perform in addition other functions assigned to them under Canon Law.

Bishops are also assisted in their work by other officers, varying in number, whom they appoint, to form a small *curia* or "court" around the person of the bishop.

If the bishop becomes incapacitated, or unable to perform all of his duties personally, if the number of parishes in his diocese is unusually large, or if the bishop has extraordinary responsibilities which entail numerous public appearances and ceremonial functions, the Pope may appoint another bishop, with the title of a non-existent see, to help the bishop so burdened. This episcopal assistant is called an auxiliary bishop when he does not possess

¹¹*The New Canon Law In Its Practical Aspects*. Papers reprinted from *The Ecclesiastical Review* (Philadelphia, 1918), 60.

the right of succession and coadjutor bishop when he does.¹² The Archdiocese of Chicago had in 1951, one Cardinal, three auxiliary bishops, 2191 priests and 1,726,533 Catholics. The Archdiocese of New York had, in the same year, one Cardinal, three auxiliary bishops on special assignments, 2205 priests and 1,288,469 Catholics.¹³

Like the Pope in the Universal Church, the bishop is, in his own diocese, the single and chief lawgiver.¹⁴ He acts through several channels in his legislative capacity. His pastoral letters to the diocesan churches or clergy deal with matters of general observance, such as the application of the regulations which prescribe the Lenten fast. Episcopal statutes are of two sorts, those enacted at the synod with the advice of the clergy of the diocese, and those issued with the cooperation of cathedral chapters or of diocesan consultors. The synod, which consists of all clergy in the diocese whether secular or regular, and of such administrators of diocesan foundations as are charged with the care of souls, meets at least once every ten years at the call of the bishop.¹⁵ Here the diocesan clergy consult with the bishop on diocesan affairs, but the final judgment is his. In weighty matters, however, the bishop is bound to receive the advice of cathedral chapters or of diocesan consultors, and in some instances, defined by Canon Law, to follow the advice received.

Cathedral chapters exist chiefly in Europe, where they developed from the example set by St. Augustine, bishop of Hippo. He gathered the clergy of his city diocese into residence at the cathedral; there they followed a common canonical rule of life. Gradually the bishops and canons parted company, the canons withdrew into private residences, and in later years cathedral chapters became legal corporations often opposed to the policies of the bishops. Chapters may only be erected by the Pope. Where they now exist, they provide a more solemn form of worship in cathedral churches and choirs. But they have as their chief function the providing of

¹²M. Emard, *Le Code de Droit Canonique* (Montreal, 1918), 59.

¹³*Official Catholic Directory*, 1951, 47, 153.

¹⁴T. Lincoln Bouscaren, S.J., and Adam C. Ellis, S.J., *Canon Law. A Text and Commentary* (Milwaukee, 1946), 174.

¹⁵Emard, *op. cit.*, 60.

counsel to the bishop, occupying the position filled in the United States by diocesan consultors.¹⁶

Bishops in the United States, and since 1899 in Latin America, use the system of appointing four to six diocesan consultors for three-year terms. These consultors sometimes, but not usually in the United States, live in the episcopal residence, and often perform administrative duties within the diocese.

For the performance of the executive, judicial, and administrative duties within their jurisdiction, bishops have the assistance of the officials of their curia, all of whom, except the synodal examiners, the bishops appoint. In the curia are the vicar general, an alter ego of the bishop, and the chancellor and his staff, who take charge of diocesan archives and keep the records. There are also judges, assessors, auditors, and other officials of the diocesan courts, who hear cases rising from problems of the confessional and cases rising out of marital relationships, and the defender of the marriage bond, whose duty it is to study the documents of all requests for annulment or for separation. Ordinarily, there is only one vicar general. He exercises specific powers granted to him under Canon Law, and relieves the bishop of such other tasks as the bishop does not reserve to himself. The vicar general loses his jurisdiction with the death, removal or suspension of the bishop.¹⁷ The functions of the chancellor, on the other hand, continue under such circumstances until a successor is appointed. Neither the vicar general nor the chancellor is normally a bishop in his own right; but bishops may request that these officers be created auxiliary bishops.

It may seem that the life of a bishop is one of great independence, one of unrestricted power. He is not the elected representative of the laity, but the appointed representative of the Universal Church. There have been many periods in the history of the Church where bishops and archbishops have acted in a twofold capacity, as officers of the Empire as well as of the Church. At other times they have lived in the entourage of kings, or exercised the duties of

¹⁶Sägmüller, *op. cit.*, 266.

¹⁷*Ibid.*, 371.

royal officers. Their commission, the source of their authority, following upon their consecration and installation in office, is the injunction of Christ to His apostles: "Going therefore, teach ye all nations." In spite of their great independence within their dioceses, however, bishops are subject to certain obligations in canon law.

They are expected to remain in residence within their dioceses for nine or ten months out of every twelve.¹⁸ They are bound to supervise the churches of the diocese, annually where possible, and to visit every foundation in the diocese every five years. As delegates of the Holy See they visit foundations of religious orders when asked by Rome to do so.¹⁹ They are bound to offer Mass for their people every Sunday and also on about twenty-eight feast days every year. Their attendance is required at general or oecumenical, national, and provincial councils or synods, where they possess the right to vote.²⁰

The government of the Church has two levels, the bishoprics and the Papacy. The Papacy is self-renewing and the reservoir of all power. The body of bishops is likewise self-renewing, and acts as a means for continuing the priesthood, which is the core of the sacramental life of the Church. Bishops share the fullness of order with the Pope, and in oecumenical council share with him also jurisdiction over the whole Church, subject to his infallibility and supremacy of see. Within their home dioceses bishops have what political theorists call unitary power; authority flows from them to their delegates or subordinates. The laity takes little part in the government of the Church save, on occasion, to render the services of technical experts or as parochial consultants. But it is from the laity alone that priests can come, and rise to positions of power in the Church. The laity is the reservoir of vocations.

B. THE POPE

In the hierarchy of order the bishops constitute the top of the

¹⁸*Codex Juris Canonici, Pie X Pontificis Maximi Iussu Digestus. Benedicti Papae XV auctoritate Promulgatus* (New York, 1918), canon 338.

¹⁹Such requests are unusual.

²⁰If a bishop is legitimately impeded from attending, he may be excused, but he must indicate the reason for his absence.

pyramid, with the bishop of Rome one of their number. In the pyramidal hierarchy of jurisdiction, the bishops constitute the base of the pyramid rather than its crown. Above them in a hierarchy of administration are archbishops or metropolitans, papal nuncios, and the Pope, whose authority is exercised in his name by a variety of central agencies. Here are cardinals, prelates, heads of religious orders, and numbers of lesser officials in the Roman Curia.

In the direct line of authority between bishops and the Pope, which soldiers and administrators call the line of command, are, apart from the Sacred Congregations, only two ranks, archbishops and nuncios. Archbishops or metropolitans are usually bishops of an important diocese within a province of the Church. Their position is largely honorary. Their chief responsibility as archbishops is that of calling and presiding over provincial synods where necessary; that is, calling into conference a number of bishops of dioceses in a province, together with their clergy, for consultative purposes. Provincial synods theoretically should be held at least once in twenty years, but they are not called regularly; in many parts of the world they have fallen into disuse. Informal conferences, and annual or biennial conferences of all the bishops in one country, national conferences presided over by the papal nuncio to that country, or by the apostolic delegate when there is no nuncio, are replacing such synods. Papal nuncios are the diplomatic representatives of the Pope to the head of the state, and as such, where the relations between church and state are governed by concordat, they are administrative superiors of the bishops of the country.

At the top of the administrative pyramid stands the Pope, the highest dignitary of all, whose titles, Pontifex Maximus, Supreme Pontiff, Holy Father, indicate the primacy of his see, the *Sedes Apostolica* or Holy See. Outside of his primacy of jurisdiction and of honor, the Pope has further responsibilities that proceed from his connection with lesser areas of church organization. He has the honorary title of Patriarch of the West. He is territorial primate of the provinces of Italy; metropolitan of the territory between Pisa and Capua, over which he exercises the usual authority of an archbishop; and bishop of the city of Rome. Up to the

seizure of the city of Rome by the Italian monarchy in 1870, the Pope was likewise ruler of the territory called the Papal States. Today he is the acknowledged sovereign of the State of Vatican City.

The powers and rights which the Holy Father exercises as head of the unified Church proceed from his position as primate of the bishops of the Catholic world, and from the doctrine that his definitions of faith or morals made under specific conditions are infallible. Equal to all other bishops in his power as priest, he has superior administrative authority as teacher and shepherd or ruler. In the hierarchy of jurisdiction he has supreme legislative, executive, and judicial powers. Of these the legislative is the greatest and most frequently used. The Papacy's coercive or enforcement power does not consist of the use of force or confinement to jail or prison, as in the state, but consists rather of censures and deprivations which exclude a Catholic in greater or less degree from the rights and privileges of church membership, such as the reception of sacraments, until the offense has been adjudged and remedied.²¹ Since papal sovereignty is thus essentially spiritual, the legislative power has assumed larger proportionate importance in ecclesiastical government and ecclesiastical rulings are obeyed by force of conscience. Except for those matters which are initiated by the Pope, and for documents issued to the civil world by the Popes as spokesmen of the Church, this legislation takes the form of decisions of the Roman curial bodies which the Pope has tacitly or expressly sanctioned. The basic law of the Church is the Code of Canon Law. This Code is a fully developed and highly detailed legal system concerned with the whole life of the Church. It has developed over many centuries, and has been frequently revised. The most recent and most comprehensive revision took place in 1917. A special papal commission concerns itself solely with the task of interpretation of the Code in its application to specific problems of Church government and administration.

The Pope is a teacher of morals and a critic of customs as well as a source of ecclesiastical discipline. His legislative competence

²¹Stanislaus Woywod, O.F.M., "Ecclesiastical Censures in the New Code," in *The New Canon Law In Its Practical Aspects*, 82.

reaches to the far ends of the world on questions which concern the Church as a whole rather than the particular affairs of a bishopric. As general legislator he may: a) issue decretals *ex cathedra* on belief; b) defend doctrine against heresies; c) call, preside over, and adjourn general (oecumenical) councils; d) test decrees of particular synods; e) introduce, alter, or suppress general or particular Church laws on any subject; f) regulate holy days or Church feasts; g) define fast days and periods of fasting; h) introduce new rites and abrogate old ones. The introduction of the devotions of the first Friday and the first Saturday of the month, as well as the addition of prayers for the conversion of Russia at the end of Mass are examples of his power of legislation over rites and *cultus*.

Like the bishops, the Pope may pass upon and approve religious publications, or censor harmful literature, with this difference, that the approval or ban of the Holy See, being announced to the Universal Church, has a much wider effect than that of a bishop.

The largest part of the Pope's executive work centers about two chief concerns: the establishment and extension of the Church throughout the world, and the maintenance of religious worship in a pure and unadulterated form. In his executive capacity he may: a) erect, administer, alter, or suppress bishoprics; b) appoint bishops, usually after consultation in accordance with Canon Law; c) assign a coadjutor or auxiliary bishop to one who is incapacitated or whose duties are too heavy; d) approve or sanction, or suppress, religious orders; e) administer the temporal goods of ecclesiastical foundations, especially in the diocese of Rome; f) erect and govern missions and churches which are dependent exclusively on the Holy See; g) found and legislate for papal universities such as the Catholic University of America; h) grant indulgences; i) beatify or canonize saints; j) issue liturgical books; k) organize and enforce the *cultus* of the Church.

Judicially, all the spiritual favors of the Church are within the Pope's control. The sanctions which the Church applies in enforcing its laws are often quasi-judicial, decided upon as a result of an investigation by an ecclesiastical court. Acting in his judicial capacity, the Pope may: a) act as a court of first instance or of

appeal, especially in graver cases; b) organize courts for hearing such cases; c) organize courts or appoint synodal judges for the diocese of Rome; d) establish rules of judicial procedure; e) establish censures or punishments; f) absolve from any punishment for sin, especially for sins reserved to the Holy See; g) relax vows and oaths when there is a just cause for doing so, thus permitting members of religious congregations to return to secular life; h) give matrimonial dispensations from any impediment instituted by the Church.

The Popes have also acted as arbitrators in the settlement of political questions, in response to the requests of governments.

Supreme judge himself, and supreme lawgiver within the Church, the Pope can be judged by no man, and there is no appeal from his decisions. In this respect his position corresponds to that of all sovereigns, who cannot be brought into court. But both Pope and bishops, as members of the communion and the community of the Church, are also subject to the moral law and discipline of the Church. As penitents, they have confessors. Certain forms of excommunication are reserved to the Papacy, as are the graver cases of episcopal misbehavior, which incur the penalty of suspension.

The government of the Holy See on the universal level parallels that of the bishop in his diocese and is comparable to that of national governments. All power, legislative, executive, judicial, and administrative, is united in the Pope under the political principle known as union of powers. He has no substitute, such as a vice president, nor is there hereditary succession to his office, as in monarchies; but he has relatively close at hand a body of advisors, originally chosen as consultants to the Papacy from the dioceses around Rome, the larger parishes in the Holy City, and the administrators of its charities. These are the cardinals, collectively called the College of Cardinals, which acts as the means of renewing the Papacy. Its membership fluctuates in number, and does not exceed seventy.²²

After the death of a Pope, his chamberlain, the Cardinal

²²Sixtus V restricted the College to this number by the Bull *Postquam verus*, of December 3, 1586.

Camerlengo, takes over the administration of the Holy See for the interregnum, while the obligation of choosing the successor to the Papacy falls on the Sacred College of Cardinals. In some ways the duties of cardinals resemble those of cabinet ministers in England or in the United States, but in this elective function they are unique. They meet as a body in conclave to elect a new Pope. They exercise the consultative powers common to cabinet positions when the Pope calls them into private consistory to examine the qualifications of persons for canonization as saints, or to consider the nomination of bishops to vacant sees.²³ However, like the President of the United States with his cabinet, the Pope need not accept their advice. In public consistories where cardinals are created and saints proclaimed, the presence of cardinals lends solemnity to the ceremonies. Individually, the cardinals who are continuously present in Rome act as administrative heads and members of administrative committees of the papal curia. Here they are assisted by consultors and other aides, prelates who have various ranks including those of protonotaries and chamberlains, monsignori and various advocates, notaries, expeditors, and other expert consultants, some of them laymen, called curials.

The Papal Curia proper, in its narrow sense, included in 1951, twelve Sacred Congregations, three tribunals or courts, three offices and secretariates, on all of which cardinals, monsignori, and curials serve.

Like civil governments, the government of the Church can be classified under four functions, if administrative agencies such as independent or regulatory commissions are separated from the executive branch. Above all four stands the Pope as head of the Church—chief lawmaker, executive, and judge. Although doctrinal statements and determination of policy are the most important work of the Papacy, the most extensive work, quantitatively speaking, is probably done by the administrative branch.

The courts concern themselves primarily with penitential appeals in the Sacred Poenitentiaria, primarily with appeals on sacra-

²³*Codex Juris Canonici*, canon 239. An excellent historical summary of the growth of the consistory can be found in A. Monin, *De Curia Romana* (Louvain, 1912), 7.

mental judgments in the Holy Roman Rota, and primarily with decisions as to whether an appeal may be made, in the Signatura.²⁴

The administrative work, narrowly considered, is performed by several varieties of administrative agencies called Offices, Secretariates, Commissions and Congregations. There are no departments, cabinet meetings, nor any individual acting as a prime minister, but the Secretary of State may sit *ex officio* with all of the Congregations, and thus acts as a sort of co-ordinator, and as liaison officer with the Pope, as does a prime minister with a civil sovereign.

Papal Offices today are primarily dispatching agencies for various types of papal documents. At one time, however, they were quite powerful. The Cancellaria or chancery kept the papal archives; the Camera administered the temporal affairs of the Holy See; and the Dataria took charge of appointments to those churches and benefices which were directly under the Pope. The head of the Camera, the Cardinal Camerlengo, is chief administrator of the Holy See for the few weeks that the see may be vacant.

Commissions are small bodies of specialists with a definite and limited purpose, which go out of existence when their work is done. Under some circumstances, they are attached as subordinate bodies to one or more of the Sacred Congregations. In 1951 there were eleven commissions. Four of them, those for Biblical Studies, for Emendation of the Vulgate, for Sacred Archeology, and for the Care of Historic and Artistic Monuments, were interested in research.²⁵ Others had entrusted to them a variety of functions in Italy and in the world at large, including the interpretation of the Code of Canon Law, the preparation of a code of Oriental Canon Law, the care of sacred art in Italy, and of the papal sanctuary in Pompeii, maintenance of the faith in the Diocese of Rome, the preparation of motion pictures designed to illustrate the truths of doctrine, and supervision of the heraldry of the Pontifical Court.²⁶

²⁴The titles given above are the official names for these courts.

²⁵The Vatican Archives were opened for the use of students by Pope Leo XIII in 1883. Cf. G. P. Fabre, *Le Gouvernement de l'Église*: Vol. I, *Le Vatican* (Paris, 1910), 264 ff.

²⁶*Annuario Pontificio*, 1951, 889-895.

The Secretariates are not, as in civil governments, departments, but like the secretaries of state in civil governments, they perform clerical and epistolary duties. One for Latin Letters and one for Briefs to Princes have recently been combined into one, with their names also combined. The other one, the Secretariate of State, is like the foreign office of a civil government.

In contrast with the papal commissions are the Sacred Congregations. In structure they resemble those regulatory agencies which in the government of the United States are called independent commissions, but their work is administrative rather than regulatory. Each congregation works as a group under the chairmanship of a cardinal prefect, not under a single administrator; each has several expert advisers in specialized fields of study or of administration among its consultors; its full meeting is called a *congressus*. Some of the congregations are permanent, others temporary, although they are not often changed. The identity of the more permanent congregations is distinctly traceable to the original establishment (1587) by Sixtus V (1585-1590).²⁷ Reorganization is, as in any government, a recurring necessity; occasionally whole subdivisions are transferred, with their work, and usually with their personnel, from one congregation to another. The most thoroughgoing recent reorganization was that of Pius X, in his constitution *Sapienti Consilio* (1908).²⁸

Each congregation considers the problems which rise within a special area of ecclesiastical jurisdiction, such as sacraments, ceremonies, institutions of higher learning, and seminaries. The Sacred Congregation of Rites, among other matters, prepares for the canonization of saints. One congregation provides for the maintenance and repair of St. Peter's Basilica. The Sacred Congregation of the Council governs all matters relative to the holding and recognition of councils and episcopal conferences, regulates

²⁷The system of Roman congregations may be said to have begun with the institution of the Inquisition by Pope Paul III in 1542; the Bull *Immensa aeterna Dei*, of Sixtus V, brought unity into the system. Cf. Monin, *op. cit.*, 9.

²⁸Michael Martin, S.J., *The Roman Curia As It Now Exists* (New York, 1913), 12. The present day organization of the Roman Curia is regulated by the Code of Canon Law. In that Code the main elements of Pius X's reorganization are stabilized.

the discipline of the secular clergy and of the laity, inspects the activities of the dioceses and of the parish. In this process it examines the qualifications of priests nominated for appointment as bishops, although they are appointed by the Consistorial Congregation. It also looks over the reports made by bishops on their *ad limina* visits to Rome. The Congregation of the Consistory erects new dioceses and chapters, bestows the pallium on archbishops and prepares the agenda for consistorial meetings. It also decides, if controversy arises over jurisdiction, which congregation shall exercise authority. The Sacred Congregation for the Propagation of the Faith (frequently called "Propaganda") exercises extensive jurisdiction in the areas designated as missionary territory. In these areas its authority excludes that of most other agencies of papal administration, which govern the established areas of the Church. As a result, the Sacred Congregation de Propaganda Fide is so important that its cardinal prefect is frequently referred to as the "red Pope". Similarly, so important was the Society of Jesus in defending and spreading the faith that its head is sometimes referred to as the "black Pope". There is a sacred congregation especially created to administer to the needs of religious orders alone. In addition, heads of the major religious orders and some other religious societies sit *ex officio* as consultants with one or another congregation.

Most of the activity of these congregations concerns matters spiritual rather than secular. Three of them, because of their central importance, have the Pope himself as prefect, although he seldom attends meetings. One of these three is the Congregation of the Consistory; another is the Congregation of the Holy Office, which is the first one in order of time and the nearest of all congregations to the Pope's personal authority. It decides, among other matters, questions of faith or heresy, sacramental questions, and dispensations from the impediment of *cultus* in some mixed marriages. It was this congregation which recently declared that in matrimonial cases the invalidity of baptisms conferred in certain Protestant sects was not to be presumed.²⁹ Two

²⁹The Holy Office issued this declaration on December 28, 1949 (*Acta Apostolicae Sedis*, XVI, 650).

other congregations, that of the Oriental Church and that of Extraordinary Ecclesiastical Affairs, together with the Secretary of State, have duties which concern the non-Roman rites and relations with civil states.

The foregoing is a brief outline of the government of the Catholic Church, a body of bishops who in their collective capacity share the authority of the Apostles under the primacy of Peter. Each bishop wields a large amount of autonomous authority in his own diocese; a line of command rises above bishops to the Bishop of Rome, the Vicar of Christ. Under him, exercising ordinary and vicarious power,³⁰ stands an array of administrative agencies in a curia or court.

³⁰The distinction between "ordinary" and "vicarious" power is of considerable importance in ecclesiastical law. "Ordinary power" is the power attached to an office; "vicarious power" is power exercised in the name of the Pope.

II

LOCAL, NATIONAL, AND SUPRA-NATIONAL ELEMENTS IN CHURCH GOVERNMENT

AN examination of the geographical units in the Catholic Church manifests immediately its likeness, not to the structure of the modern state, but to that of the Roman Empire. The customary governmental units of the Empire were the cities or military outposts, the provinces, and the imperial city of Rome. Similarly, the customary units of the Church are the dioceses, the provinces, and the Holy See. The English word "city" was given to a community which was the seat of a bishop.

Roman civilization was preserved to the world, after the fall of Rome, by the Church, which succeeded to part of the temporal rule of Rome. During the age of feudal obligations, petty rulers, and turbulent quarrels, Papacy and Empire represented religious and secular concepts of unity and authority, sometimes in agreement, more often in conflict. The Church developed political as well as spiritual authority. As a result of the Council of Trent during the Counter Reformation, the reorganized Church emerged with its forms of administration very largely as they are today; it had yet to meet the challenge of the new political form, the national state. The opening of the Far East to trade, and of the New World to exploration and settlement, brought to the Church again the renewed command of its Founder: "Going therefore, teach ye all nations, baptizing them in the name of the Father, and of the Son, and of the Holy Ghost." Areas newly discovered in the fifteenth century were lands in which Christ was unknown; some of them were relatively unpopulated, others already politically mature, with ideas of God or gods that conflicted with Christianity. There the Church felt its way, adapting its forms to circumstances, moving from the familiar to the alien, from the temporary to the permanent, from diversity toward unity, but without destroying diversity. There, instead of setting up government by dioceses under the Consistorial Congregation, the Church called to its aid two other institutions, the Sacred Congregation for the Propagation of the Faith, and the missionary religious orders, most of

them subordinate to the Congregation for Bishops and Regulars.¹ Where formal order could be developed with relative ease, jurisdiction over the Church in new lands was given to the Propaganda Congregation, as it was in North America. This congregation was founded in 1622 by Pope Gregory XV.

In South America, where the rulers of colonial powers were Catholic princes who already had diplomatic ties with the Papacy, the Church consulted with the civil rulers about the erection of dioceses, universities, and other institutions. This consultation took place through the Congregation on Extraordinary Ecclesiastical Affairs. The missions in Latin America were transferred to the Congregation for the Propagation of the Faith in the twentieth century, some time after the Spanish government had lost all control of South American lands.

In Asia and Africa, where native peoples and customs made immediate organization almost impossible, particular areas were assigned to different religious orders. For example, today, under this principle, the Marist Fathers, under the direction of Propaganda, have full jurisdiction over Oceania, the islands of the South Pacific. As a result of such division of jurisdiction, there was competition of a kind among the orders, but not competition within their own jurisdiction. The foremost examples of the flexibility and diversity of the Church may be found in its ability to adapt itself to the human complexities of these missionary regions.

Missionary territory, as the Church designates it, does not consist merely of heathen lands where Christianity is unknown or rejected, nor of pagan areas of religious indifference. It does include parts of the world where there are Catholic churches, even bishoprics and bishops, but where, for one reason or another, the hierarchy is not well developed or firmly established. It also has included countries where the Church has come to fruition, only to have its hierarchy destroyed or sent into exile. For example, before the reign of Henry VIII, the Church had a fully

¹Since the reorganization of the Curia by Pope Pius X in 1908, most missionary religious orders have been placed under the supervision of the Sacred Congregation of Religious which was established in that year.

established hierarchy in Great Britain, with an English member of the College of Cardinals. In the English Reformation, the Church lost its parishes as well as its cathedral churches. Its ecclesiastical lands reverted to the king and his favorites or to the bishops who renounced Rome and helped the monarch to found a national episcopal church. After almost a century of ups and downs, and hundreds of martyrdoms, Catholic priests were outlawed. In 1688, a Vicariate Apostolic was created for the district of London, and the Catholic Church in England remained a Vicariate Apostolic until Pope Pius IX restored the English hierarchy in 1850. At the time he erected one province with twelve suffragan sees, and appointed Nicholas Patrick Wiseman as resident Cardinal Archbishop of Westminster.

In parts of Germany, under the principle of "*Cuius regio eius religio*," Catholic churches and other foundations were turned during the Reformation into Protestant sectarian institutions or state institutions. The Catholic Church never regained jurisdiction over most of them. Similar confiscation of ecclesiastical lands and other properties, including houses of worship, took place under antireligious or anticlerical governments in France, Spain, and Italy, but these lands did not become missionary territory. The dioceses of France were twice reorganized during and after the Napoleonic period. Almost the first effort of a highly nationalistic or otherwise doctrinaire government is to disrupt the priesthood and the hierarchy as a whole, to drive a wedge of suspicion or hate between clergy and hierarchy on the one side, and laity on the other, on the principle: "Strike at the shepherd and the flock will scatter." So Adolf Hitler and the National Socialist party, like Bismarck before them, attacked German clergy and bishops with false propaganda, confiscation of religious properties, arrest and imprisonment of officers of the Church.

In several of the "satellite" states of the Soviet Union, where predominantly Catholic populations have been brought under Communist control, strong efforts are now being made to eliminate the Catholic Church from the life of the people by pressure on the bishops and clergy, especially in Yugoslavia, Poland, Czechoslovakia, Hungary and Romania, within the Soviet Union itself, in the

Ukraine, in the annexed Baltic countries, and in Transylvania. Two of the chief contemporary purposes are to gain control over the choice of bishops and to limit the control of bishops over clergy. In these Communist-controlled areas, Catholic authorities in Yugoslavia and Bulgaria were under the Congregation for the Propagation of the Faith; the others were under the Consistorial Congregation. The Vatican *Yearbook* for 1950 listed thirty-five residential archbishops, bishops, or apostolic vicars as either deported or exiled, and Cardinal Mindzenty as in prison²

The missionary territories now existing include among others, Albania, the Antilles, Australia, Gibraltar, Greece, India, Iran, China, Japan, New Zealand, Palestine, and Turkey. Great Britain, Holland, Ireland, Scotland, Newfoundland, Luxembourg, Canada, and the United States, all missionary territory in the nineteenth century, are so no longer. Together they were transferred from Propaganda to the Congregations of the established Church, during reorganization of the Roman Curia by Pope Pius X in 1908.³

One of the most fascinating aspects of the Catholic Church is its growth and spread to foreign lands. A solitary missionary making an irregular circuit of an extensive mission, a few Catholics meeting him at an appointed time and place, or a small band of intrepid souls dependent on charity from their homeland, lay the foundations out of which grow teeming dioceses and noble cathedrals. Missionary activity was enjoined upon the Church from the moment of its foundation. The first evidences of the graces bestowed by the Holy Ghost on the trembling Apostles were the courage that sent them out from the Upper Room at Jerusalem to the hostile multitudes in the streets of the city, and the gift of tongues by which their mission was made manifest to their first hearers. Out on the roads of the world to Asia, Africa, and Europe went the Apostles, under the Roman peace, to "teach all nations." Within the lifetimes of Saints Peter and Paul, the Church was established at Rome. From that day to this, the Catholic Church has been distinctly a missionary institution as well as a body centralized at Rome. Even when schisms divided the Church,

²*New York Times*, January 19, 1950.

³Bargilliat, *op. cit.*, 368.

when the Popes themselves fled from their central see, missionary spirit has flourished somewhere in the world. In general, new missions have sprung from one of three sources: (1) the direct command of the Pope; (2) the zeal and dedication of religious orders, many of which were founded in the nineteenth century; (3) the generosity of zealous bishops who have contributed priests and funds to the conversion of other lands.

Missionary zeal has not been confined to the see of Rome or to the Popes. The depth of penetration of Catholic conversion and the strength of the faith could almost be measured in any country by the growth of support for missions. Hardly had the monastic orders come into being before their seminaries kindled with apostolic yearning toward the mission fields. Popes and bishops turned to them for assistance even as they also sent secular priests as temporary help to new establishments. So Pope St. Celestine I sent Saint Patrick to Ireland in the fifth century. More than a hundred and fifty years later Pope St. Gregory, a Benedictine monk, sent the Benedictine St. Augustine to reconvert England to the faith it had first received when it was under the military administration of Rome.

Foremost in mission work for centuries immediately following were the great Benedictine foundations and the separate Irish monasteries that grew out of Saint Columba's famous monastery on the island of Iona, founded 563. Iona became responsible for the Christianization of Scotland and parts of Northern England. Saint Columban, from a different Irish background than that of Columba, led a party of twelve into Gaul. He founded one abbey at Bobbia, near Pavia, Italy, and another at Luxeuil, in Burgundy, which sent a steady stream of missionaries into German Bavaria. Saint Kilian of Iona became the "Apostle of Franconia." Saint Willibord, a Benedictine of York, began the conversion of the Frisians, directly across the North Sea, late in the seventh century. Boniface, originally named Winfrid, an English Benedictine, is known as the Apostle of Germany because of his missionary labors in Frisia, Saxony, Franconia, Thuringia, and Bavaria, and because of the dioceses that stood as monuments to his administrative ability.

The brothers, Saint Cyril and Saint Methodius of Thessalonica,

in the ninth century answered a request from the Crimea for Christian missionaries. Their feast day as Apostles of the Slavs is celebrated in the Roman liturgy all over the world. Late in the sixteenth century Pope Gregory XIII assigned the Far East as a missionary field exclusively to Jesuits, but after the temporary suppression of that order, missionary responsibilities in the Far East were distributed otherwise. Saint Francis Xavier, the Spanish Jesuit who converted great numbers in the Far East, is called the Apostle of the Indies and is patron saint of all missions. The Holy Ghost fathers and the French Society for Foreign Missions took the lead in extensive labors in Africa during the nineteenth century. Today the Church is turning to the Catholics of the United States for the services of missionary priests.

With the discovery of the New World, Franciscans, Dominicans, and Jesuits came with the Spaniards to Cuba, South America, Mexico, and parts of North America. The erection of dioceses in the Spanish colonies was the first establishment of the ecclesiastical jurisdiction of Rome over territory that later became the United States. The beginning of English Catholic penetration of North America came in 1634 with the arrival of two Jesuit fathers in Maryland with twenty gentlemen and from two hundred to three hundred laboring men, most of them Protestant, in the *Ark and the Dove*. The early Maryland missionaries, all of them Jesuits, depended exclusively on the jurisdiction of their superior general.⁴ The first French establishment of the Catholic church in America came long after the first solitary missionaries had gone out with the *voyageurs* to the Indian tribes. This establishment was the Vicariate Apostolic of Canada, erected in 1658, which was followed sixteen years later by the diocese of Quebec. The vicariate apostolic was founded only thirty-six years after the foundation of the Congregation for the Propagation of the Faith. The diocese of Quebec, at the time of its institution, covered all of the territory east and west of the Mississippi that was not under the political control of England or Spain.

⁴Letter of Father Henry Harrison, S.J., to Father Francis Porter, S.J., requoted from an article in the *Dublin Review* by Rev. Thomas Hughes, S.J., in E. H. Burton, *Life and Times of Archbishop Challoner* (London, 1919), 124.

Before considering how the lines of ecclesiastical jurisdiction are adjusted to follow those of political rule, it may be well to recount the processes and the forms of church government that are used in opening and developing a mission field. The first step is usually the departure of a few selected missionaries for a new location, which may or may not have been looked over by the head of a religious order, a bishop, or by a person delegated by the Holy See. In any event, some authority in Rome will have approved the general idea before the work is undertaken. A few Catholics living far from home may ask a bishop of their homeland, a religious order, or the Congregation of Propaganda for the services of a priest. In the past, such requests have been made by kings, but the heads of modern states, while they may be willing to have their countries and colonies profit from the work of missionaries, are much less willing to sponsor missions openly. Into areas that have no episcopal administrator, a few missionaries may be sent by the Propaganda Congregation, or by a bishop in touch with this congregation, or by a religious order whose superior general usually has not the rank of a bishop, to begin work in one or more small stations. These temporary stations are called missions, and should be distinguished from missions *sui juris*, which are likewise small foundations but whose work is of an unique or extraordinary character. Missions *sui juris* are few in number in the Universal Church. The *Annuario Pontificio* for 1951 lists twelve.⁵ Simple missions are, however, numerous.

As soon as a mission, by the number of its baptisms and the reception of other sacraments, gives evidence that the Church has a solid foundation in the people, a prefecture apostolic is created. This is the first step in canonical organization, a unit of administration superior to the mission, headed by a prelate with the title of prefect apostolic, who is usually not a bishop, but who may exercise wide powers. In 1918 *Orbis Catholicus* listed seventy apostolic prefectures, scattered over the six continents.⁶ In 1937 there were 121, of which all but two were directly under

⁵See pp. 731-733.

⁶*Orbis Catholicus*, 1918.

Propaganda.⁷ In 1951 there were 130.⁸ In the meantime many prefectures had been elevated to higher rank and new ones erected.

The second step of canonical organization is a vicariate apostolic. The vicar apostolic who administers such an area is a titular bishop. He has approximately the same powers as a diocesan bishop. He acts not on his own authority, however, but in the name of and with the authority of the Holy See. Although he has no diocese, because the limits of his jurisdiction are still temporary, he is normally invited to oecumenical councils, and if so invited, he has the right to vote. In 1918 there were 175 vicariates apostolic and six vicars of the Oriental rites;⁹ in 1937 there were 278 vicariates, all but one under Propaganda, and ten Eastern ordinariates, special bishoprics for Eastern rites, all ten subject not to Propaganda but to the Congregation of the Oriental Church.¹⁰ In 1951, there were 251 vicariates and fifteen Oriental prelacies.¹¹ How frequently and steadily these units of administration are created or raised in rank may be judged from the following facts. Altogether Pope Pius XI created twenty-four missions and districts *sui juris* and seventy-three apostolic prefectures. He raised forty-six prefectures, twenty of which he had founded, to apostolic vicariates, and created thirty-eight other vicariates apostolic, a total of 181 units. During his reign he elevated twenty-six Chinese and Japanese clerics to the rank of bishop.¹² From his accession to the papal throne in 1939, to January 1, 1951, Pope Pius XII erected or elevated to their present status 360 ecclesiastical units of administration.¹³ When missionary territory is finally transferred from Propaganda to the jurisdiction of the Consistorial Congregation and of the rest of the Curia, the Congregation for the Propagation of the Faith retains authority over any untransferred vicariates in the territory.

Vicars and prefects apostolic have authority very similar to that of a bishop. They are the true pastors of souls committed to

⁷*Id.*, 1938.

⁸*Annuario Pontificio*, 1951, 703-729.

⁹*Orbis Catholicus*, 1918.

¹⁰*Id.*, 1938.

¹¹*Annuario Pontificio*, 1951, 1181.

¹²*New International Yearbook*, 1939 (New York, London, 1940), 624.

¹³*Annuario Pontificio*, 1951, 1182-1186.

their care. They can enact local ecclesiastical laws. They have judicial and coercive power within the territory assigned to them. Even those who are not consecrated bishops have powers to give all episcopal blessings except the pontifical benediction, to consecrate chalices, patens, and altars, and to grant indulgences for a limited number of days. Like diocesan bishops they must stay in residence and make visitations within their jurisdiction. Annual reports on their work, and periodic visits to Rome must also be made. Apostolic vicars have power to regulate the missions of religious orders within their territory. The vicar apostolic may be and often is a member of a religious order.

Training a native clergy to take over the care of souls from foreign priests is one of a vicar's first concerns. When vicariates apostolic of a given area are able to support the work and ceremonial functions of a bishop, when boundaries can be made definite, or when local conditions make permanent status desirable, the vicariates concerned are raised to diocesan rank. Usually such a diocese remains under Propaganda. The bishop receives the documents of the diocese as of right in its name and in his own. After some time, when the native clergy have demonstrated their faith and administrative ability, native priests will be raised to the mission hierarchy. Pope Pius XII consecrated and appointed the first Negro bishop, the Most Reverend Joseph Kiwanuka, now bishop of Masaka in Uganda, who recently was permitted to ordain to the priesthood four white Canadian members of the Holy Ghost Fathers, called the "White Fathers," for service in Africa. Within a few days of issuing his first encyclical letter, which condemned statism, Pope Pius XII emphasized the unity, universality, and diversity of the Catholic Church by consecrating and sending out twelve new bishops of widely varying nationalities into the mission fields. Among them were British Indians, Chinese, and an African Negro returning to their homelands, French, Danish, Irish, Canadian, Belgian, and American bishops going to Denmark in Europe and to Asia, Africa, and Indonesia. Among them was Thomas Tien who seven years later in 1946 was appointed cardinal archbishop of Peiping. The first Chinese cardinal, Cardinal Tien, is now exiled from China and residing in the United States.

Both the history of missions and the process by which the single mission grows into a diocese reveal how truly one and universal the Church is. The faith spreads from the strong to the weak, from the rich in faith to the poor in faith, but it spreads in many different ways. In the Western Hemisphere, its missionaries moved into relatively unsettled lands and began to teach the Indians before any strong political authority was established in these continents. Indian missions are still functioning and the home apostolate to American Negroes is growing. In the Western Hemisphere, too, the lines of Church jurisdiction at first followed the nationality of the settlers. Thus, in the United States, several lines of ecclesiastical jurisdiction met and merged into one. The merging lines included the jurisdiction of English Jesuits in and around Maryland, that of the Spanish hierarchy by way of Cuban and later of Mexican dioceses, and that of the French in the diocese of Quebec. With the establishment of the prefecture apostolic of the United States under John Carroll in 1784, and with the elevation of the prefecture into the diocese of Baltimore in 1789, the leadership of the Catholic Church in the United States was entrusted to Americans.¹⁴

Similar developments have taken place in the Far East and in India, but much more slowly, so that this part of the world is still *in partibus infidelium* under the Congregation for the Propagation of the Faith; but missionaries of several orders are now working throughout the Far East. Reasons for the comparatively slow development of missions in Asia are neither abstruse nor far to seek. There Catholic missionaries came into thickly populated countries of old civilization and of fixed habits of thought, strong native cultural and ethical systems. Christian missionaries there met an established pagan priesthood with religious ideas that were opposed to Christian concepts. There, also, the missionaries were all too soon associated in the minds of the native peoples with the businessmen and governments which followed where they led. Language complexities and tendencies to passive behavior combined with suspicion of the "foreign devils" to retard the process of

¹⁴John Carroll had first been appointed prefect apostolic in 1784. Cf. Burton, *Life and Times of Archbishop Challoner*, 138, 144.

conversion. Further delay was caused by controversies among the missionaries themselves over the meaning of Chinese terms and of certain Chinese and Japanese rites. The disputants finally appealed to Rome to the Congregation for the Propagation of the Faith, and even to the Holy Office.

In the last half-century, there has been greater progress of the faith in China than in Japan. However, the second atomic bomb that burst over Japan wiped out thousands of Catholics in Nagasaki, where the Church had been flourishing. Today the Christian missions of North China, Protestant as well as Catholic, are under heavy pressure from Chinese communists to cease all religious activities, as the Japanese missions were from the Shintoists during as well as before the last war. No clear picture of the Church in China is generally available. Catholic missionaries of foreign origin still remain at their posts in some central and southern parts of China. The strength of the Church in China will, in the long run, depend on the faith and courage of the Chinese laity in support of their clergy, whether foreign or native. The Church in Japan, on the other hand, is experiencing a rising tide of conversions.

The first missionaries to Japan were Spanish, Portuguese, and Italian, before the great massacre of Catholic Japanese in the seventeenth century. In modern times French and German missionaries have carried on a good part of the work. From the end of World War II in August 1945 to the end of November 1948, a little over three years, 459 new Catholic missionaries entered Japan, of whom 113 were from Canada and 101 from the United States. The remaining 245 came from 22 countries. An article in *Jesuit Missions* reported that although the Church in Japan had only about 122,000 Catholics out of a population of 90 millions, it was growing with astonishing rapidity, with 6,845 adult baptisms in 1948, 15,278 adults under instruction, and over 38,000 students, mostly non-Christian, in Catholic schools.¹⁵ The same authority also reported that already one-fourth of all the priests and brothers and three-fourths of all the sisters in Japan are Japanese. Bishop Thomas McDonnell, then National Director

¹⁵Joseph F. MacFarlane, "Hiroshima Four Years After," in *Jesuit Missions*, XXIII, No. 6 (July-Aug., 1949), 14.

of the Society for the Propagation of the Faith in the United States, wrote in *Catholic Missions* for December 1949, after his return from a visit to Japan, that Catholic social works in Japan—hospitals, dispensaries, orphanages—have been almost doubled since the end of the war and that Catholic Japanese are contributing considerably through their own Saint Vincent de Paul societies for the relief of their poor.¹⁶

Although the training of a native clergy, previously referred to, is always a necessity in the mission field, it is not always easy to accomplish. In some parts of the world a long preliminary period of providing primary and secondary education is necessary before a bishop can think of founding a diocesan seminary with an adequate faculty. To meet their need for clergy during the interim, bishops may do one of four things. First, they may send their native candidates for the priesthood either to the seminary of another bishop or archbishop, or to a seminary in Rome. In the last century the great Roman Collegium Urbanum of the Congregation for the Propagation of the Faith, founded by Pope Urban VIII in 1627, has trained hundreds of men for the mission fields. The diocesan seminaries and convents of Spanish bishops have performed similar services in training men and women for South American dioceses. In such cases the bishops in missionary territory pay the costs of educating seminarians and these priests are ordained for the dioceses from which they have been sent; they are native priests. As a second alternative bishops may go abroad to centers where vocations are more numerous and there seek candidates for the priesthood. Here again the missionary bishop pays for the education of the seminarian, preferably in one of the national colleges in Rome. Under these circumstances when the newly ordained priest leaves the seminary for his post, he is not returning home, but going to a foreign country. Some time may elapse before he and his congregation understand each other's ways. A number of dioceses in the United States where Catholics are few and vocations infrequent, still obtain some of their priests from Ireland or Prince Edward Island, where the local bishops

¹⁶Thomas J. McDonnell, "A Short Visit to Japan," in *Catholic Missions*, XXVII, No. 8 (Dec., 1949), 10.

have more candidates for the priesthood than their work requires or can support.

As a third possibility, bishops in missionary territory may temporarily borrow or beg the services of priests from other bishops whose zeal for the missions prompts their generosity, or in some cases missionary bishops may adopt for their dioceses priests whom public oppression or revolution have driven from their countries. Thus scarcely an American bishop went abroad in the first quarter of the nineteenth century who did not return accompanied by a group of foreign priests of several nationalities. Some of these men went back eventually to serve the sees for which they were ordained. Others were permitted by their European bishops to transfer to the authority of American bishops. A number of American bishops accepted clerical exiles from the French Revolution and also accepted Jesuit priests as secular priests during the period when the Society of Jesus was suppressed. Bishop William Dubourg, first bishop of the diocese of New Orleans, returned in 1817 to his diocese on a ship furnished him by Louis XVIII of France, with thirty priests, most of them Lazarists.¹⁷ In 1850 Bishop O'Connor of Pittsburgh sent Father Mosetizh to Germany and Austria for priests. The messenger returned with four secular priests and one Carmelite for Pittsburgh, three Franciscan priests for Nashville, Tennessee, one for Milwaukee, one for Chicago. Such examples were common.¹⁸

The fourth alternative for manning their dioceses with priests is probably the one most used by missionary bishops in modern times. From the superior of a religious order, or in connection with the Congregation for the Propagation of the Faith, the missionary bishop invites a religious order to serve his missions until such time as a diocesan or archdiocesan seminary can provide enough native clergy. Thus in 1791 the Société de Saint Sulpice answered the request of Bishop John Carroll that it undertake the training of priests in the diocese of Baltimore. Founding at

¹⁷Stephen V. Ryan, "Early Lazarist Missions and Missionaries," in *The United States Catholic Historical Magazine*, I, 249.

¹⁸John L. Zaplotnik, "The Very Rev. John Ev. Mosetizh," in *The Catholic Historical Review*, III, No. 2 (July, 1917), 209.

first a college and then a seminary, this society contributed many clergy and some bishops to the growing American church. Among the Sulpicians who entered the hierarchy were Bishops Benedict Flaget of Bardstown, Ambrose Maréchal of Baltimore, and James Cardinal Gibbons.¹⁹ American houses of older European orders have also often answered the call of other American bishops to serve Indian and Negro missions. One American religious society, the Congregation of Saint Paul the Apostle, has the unique work of missions to non-Catholics in the United States. In sections where there are no churches, it uses trailer chapels. It also furnishes numerous chaplains to Catholic students in secular universities. Recently it has extended its activities into Central America and Africa. In France, another religious society devoted to the reconversion of working men is training priests to earn their living as laborers and to say Mass in the evening in workers' homes. To societies like the foregoing the bishops turn for assistance in missionary work.

Obviously the first work in foreign missions must be undertaken by foreign priests and sisters. At the same time the foreign missionaries as well as the people to whom they go are human beings, with human frailties and differing customs. At times, complex misunderstandings arise. The sooner a native clergy can be trained for service, the sooner will the Catholic Church have a stable foundation in a new land and the less danger will there be of confusing Catholic conversions with foreign imperialism.

Local desire for native clergy manifests itself in two ways. First, in a newly developed mission territory, where there may be political groups interested in fostering fear and suspicion of foreigners, the native born non-Catholics may be aroused against the missions before native converts are numerous enough or educated enough to take over the administration of the Church. A demand for native clergy may then become a point of agitation for Catholics who wish to free themselves from the suspicion of their fellow countrymen. This happened in both China and Japan, early in the course of mission history. There the antimissionary

¹⁹C. S. Herbermann, *The Sulpicians in the United States* (New York, 1916).

movement was, and to a large degree still is, a part of the anti-foreign movement. Japanese propaganda before World War II, and Russian and Chinese Communist propaganda since that time have had some such effect in China. There a native hierarchy has come into being, but the Church is not yet strong enough there to staff all of its churches with native clergy. There is one Catholic Chinese for every 140 non-Catholic Chinese.²⁰

In Mexico, too, objection to foreign religious orders and foreign clergy and bishops, which still exists to some degree, was partly the result of native opposition to foreign economic control, and partly the result of the spread of Marxist doctrines. An effective answer to the expulsion of foreign clergy and the closing down of Mexican convents and monasteries has been the foundation of a seminary for Mexican students for the secular priesthood at Montezuma, New Mexico, close to the Mexican border. Here in 1951, 320 students were preparing for the priesthood in a seminary staffed by Jesuits.²¹ American priests are serving in Mexico, and some Mexican bishops are beginning to train Mexican seminarians in their native land.

A second source of demand for native clergy (in the wider sense) appears among immigrants from so-called Catholic countries or regions, who wish the services of priests of their own nationality. This problem rose forcefully in the United States, where the movement for the erection of national churches exempt from the jurisdiction of local bishops had the support of a number of German-speaking bishops.²² This movement is sometimes referred to as "Cahenslyism."

Non-American interests appeared early in the growth of the Catholic Church in America, where both French and Irish interests sought to establish jurisdiction over the first American prefecture apostolic. In the end the English line of jurisdiction won out, and John Carroll was consecrated bishop by English episcopal authority. The influence of Irish clergy was held responsible for the geo-

²⁰A rough estimate, made from figures in the *National Catholic Almanac*, 1950, 99.

²¹*Official Catholic Directory*, 1951, 218.

²²John J. Meng, "Growing Pains in the American Catholic Church, 1880-1908," in *Historical Records and Studies*, XXXVI (1947), 17-67.

graphic disunity that developed when the dioceses of Richmond, Virginia, and Bardstown, Kentucky, were split off from the diocese of Baltimore.²³ Richmond was set up as a separate diocese because it was supposedly so far from Baltimore, while Mississippi, much farther away, remained under Baltimore. Irish clergy, who objected to the appointment of French bishops to southern sees, started the ecclesiastical dissension known as the Charlestown riots; and clergy and bishops of Irish descent were among the foremost opponents of Cahenslyism. Resistance to the use of the English language in Catholic pulpits and parochial schools came from French, German, Italian, Spanish, Polish, Lithuanian and other non-English-speaking Catholic immigrants into the United States. They sought not only clergy but also bishops of their own nationality. Defeated in obtaining so-called "national churches" or exemptions from local bishops, they had some major successes in obtaining bishops and clergy of their nationalities. An Irish priest at a Middle Western synod is credited with a famous remark: "I thought this was the Mississippi River; I'm beginning to think it is the Rhine."

The problem of whether to provide foreign language services is diminishing in the United States as the native-born children of foreign immigrants leave the parental home. Realizing that some variety of English will be the customary language used at work and in recreation as well as in public affairs, some forward-looking members of the foreign clergy in America have bolstered the faith of the children of immigrants by teaching them their catechism in two languages. Foreign language parishes are still a problem in this country wherever immigrants from one non-English speaking country have settled thickly in one area. Examples are Germans in the Middle West; Mexicans in Southern California, in certain southern states and northward along the Mississippi; Portuguese and Poles in Massachusetts; Puerto Ricans in New York, and Italians in California, New York, and New Jersey. In 1949 Cardinal Spellman returned from Rome with twenty-five Italian priests to serve Italian-Americans in the New York archdiocese.

²³T. O'Gorman, *History of the Roman Catholic Church in the United States* (New York, 1895), 297.

While such pastoral care may retard acquisition of the English language and delay an understanding of civic affairs, without it there has been and will be grave danger to the faith and morals of these immigrants.

National differences are secondary matters in the doctrinal teaching and thought of the Church, but they are by no means secondary among its very human members, or even sometimes among its clergy and hierarchy. Several years ago a woman traveler, not a Catholic, visited a convent in India near the site of a battle in World War II. There a few nuns, obviously from Europe, were tending the wounds of soldiers from both warring armies, who lay side by side in lines along the crowded corridors. Impressed by the devotion and care of the nurses, she asked the mother superior what was their nationality, and got a reply that surprised her: "We are servants of God and have no nationality." That is the spirit of Catholicism. But the Church is also a body, one body, founded in a world of nations that perform necessary roles in human society, nations which call upon and receive loyalty from their Catholic as well as their non-Catholic citizens. National consciousness can be too intense. National claims to power that would deny the existence of moral law and the claims of conscience must be resisted; but the right of national states to existence and to loyalty within the moral law is recognized in Catholic teaching.

National feeling has manifested itself in the Church at all levels of government. The Roman populace has at times shown great hostility to Popes of foreign origin, enough antagonism to lead even the people of Rome to support anti-Popes. Kings and heads of state have striven for, and at times obtained, a veto on papal elections, or a veto on the nomination of bishops within the royal jurisdiction. At one time the government of Spain could exercise a veto over the appointment of bishops in Latin America.²⁴

Other nationalistic tendencies have at times led bishops in France, Germany, and England to weaken administrative and financial ties with Rome, and to administer their own affairs more independently. The Gallican controversies which rose and fell over and over

²⁴Joseph McSorley, C.S.P., *An Outline History of the Church by Centuries* (St. Louis, 1943), 568, note.

again in France for a period of 350 years were notable examples of such a nationalistic trend. The discussions which have taken place in oecumenical councils give evidence that in some of them bishops of one nationality or another have gravitated toward similar views tinged with nationalism. Instances of this trend are found in the Council of Constance in 1414 and in the Vatican Council of 1870.²⁵

The spirit of nationalism reveals itself in yet other ways such as rivalries between missionary orders in the mission fields, and among the different national branches of world-wide missionary societies. It is evident in pride that emphasizes native martyrs and saints, and in strong support for privileged rites, or for Eastern rites in the celebration of Mass. The Italian government in the nineteenth century passed a law which required Italian monasteries to be headed and inhabited by monks of Italian nationality, under penalty of confiscation for violations of the law. Since some Italian monasteries were used for the study and training of non-Italian members of the orders, some monasteries closed their active work in Italy, and left their foundations in charge of Italian members until better times might arrive. Some foundations were seized, others seized and later returned to the orders.²⁶

Another manifestation of national feeling within the Church has been the expressed desire of Catholics in North and South America and the Far East for the appointment of more non-Italian cardinals. For over eight hundred years every successor to the Holy See has been Italian; the last foreign Pope was Adrian VI, born in Utrecht. Similarly, more than half of the cardinals have been of Italian birth. There were several reasons for this. Chief among them is the fact that most of the cardinals were needed as assistants in the Papal Curia. The rank of cardinal was originally attached to the bishops of the suburban sees around Rome, the pastors of the large Roman churches, and the deacons in charge of Roman charities. These men were called into consultation for the administration of the diocese and of the Church in general. It was also

²⁵This may be seen in any standard history of the conciliar movement.

²⁶An example of this is the extremely interesting Carthusian monastery, the Certosa, near Pavia.

desirable that cardinals speak Latin and Italian fluently. Later, bishops and other administrators who had acted in a diplomatic capacity for the Holy See in foreign lands were added to the Sacred College in an effort to obtain a greater wealth and universality of judgment. Some of them were permitted to live in their own countries rather than in Rome. In the meantime, although the Church grew stronger in England, in the United States, and in South American countries, the College of Cardinals remained predominantly Italian.

During the latter part of the reign of Pius XI and the beginning of that of Pius XII, the College of Cardinals dwindled from sixty-six to thirty-eight. In 1945 Pope Pius XII restored it to its full complement of seventy by creating thirty-two cardinals. In so doing, he elevated to the rank of cardinal a number of bishops who had stood adamant for Christian principles and the liberty of the Church against the pressure of totalitarian governments; and at the same time he created more non-Italian than Italian cardinals, not so much in answer to national desires as in recognition of the universal or catholic character of the Church. Since then many members of the College have died. In January, 1951, nineteen of the remaining fifty-two cardinals were Italians; five cardinals were French; four were from the United States of America. During 1951 the death of Cardinal Dougherty of Philadelphia reduced this number to three. There were five from four South American countries and one from Cuba. Two were Germans, two were Belgians, three Spaniards, one each English, Canadian and Australian; one Pole, one Hungarian from behind the Iron Curtain. The remaining seven are from Iraq and Armenia in the Near East, Austria, Belgium, the Netherlands, Portugal, and China.²⁷ This list reflects the weaker relative strength of the Church in older, so-called Catholic countries such as Italy, Austria, Spain, and Germany, and the growing influence of the Church in the Western Hemisphere. This change in the College of Cardinals can be interpreted either as a concession to nationalistic feelings in the Church in western nations, or as a somewhat more proportional participation of the

²⁷*Annuario Pontificio*, 1951, 29-62.

non-Italian hierarchy in the government of the Church as a whole. The latter seems the truer explanation. Whether it will result in the election of a non-Italian Pope is doubtful.

While the College of Cardinals has been undergoing change, the older Catholic countries have lost another privilege conceded to them because of their long historic connection with the Popes at Rome. The so-called "veto" on the election of the Popes, exercised on occasion by the governments of Austria, Spain, and France, has quietly expired without being mourned. This privilege, which was one of courtesy, not of law, was several times exercised by the Austrian Government. Although the terminology might seem to indicate otherwise, the "veto" power was not the power to invalidate an election already held. It was rather the privilege of requesting beforehand that a certain candidate be not considered, or else the privilege of receiving first notification of the election. In 1940 Pope Pius XII forbade its further use.²⁸ The ambassador of Nazi Germany to the Holy See attempted to intimidate the conclave of 1939, but with notable lack of success, for the Cardinal against whom he spoke now reigns as Pope Pius XII.

Two institutions of governmental character have developed within the Church in direct response to the growth of national feeling. One is the series of national colleges established in Rome, the other is the informal national conferences of bishops. In these national meetings bishops can consult one another on the effect of national political events, or on measures which involve questions of faith or morals, such as the question of national aid to public school children and exclusion of parochial school children from public aid in the United States. Here they are also able to unite in a statement which points out current dangers to faith and morals. The bishops of Germany at one of their Fulda conferences explained

²⁸Jean Carrère, *The Pope*. Translated by Arthur Chambers (New York, 1926), 165. Under the legislation promulgated by Pope Pius X in 1904, *Vacante Sede Apostolica*, chapter VI, paragraph 81, cardinals and all officials concerned with a conclave are forbidden under pain of excommunication to accept for transmission to any member of the conclave any so-called "Veto" or "Exclusiva" proposed by a civil government. Papal documents regulating the election of the Pope are printed as appendices to all official editions of the *Codex Juris Canonici*. See also Bouscaren-Ellis, *op. cit.*, 157.

the moral dangers inherent in Nazism. In the thirty-six national colleges at Rome, on the other hand, seminarians from the far ends of the earth sleep and eat and study for the priesthood among their fellow countrymen, while at the same time they meet and mingle with seminarians of many nationalities in the universities, in the churches, and on the streets of Rome. The universities range in age from the German College founded in 1522, to four colleges founded during the reign of Pius XI. Four of them are headed by members of the Jesuit order. In these seminarians, and to them, Rome presents herself in her historic grandeur and glory. There is rivalry among them in headgear and buttons, in the color of their robes and sashes, but there is likewise an increased awareness and appreciation among them of their doctrinal and apostolic oneness. Back in their homelands, where many of them have become bishops, they often wield a Roman and unifying influence which is not always appreciated by their fellow bishops who are products of local training.

In an effort to avoid administrative controversies with national governments, the Popes have customarily adjusted the boundaries of missionary areas and dioceses so that they would lie completely within the territory of one state. It therefore sometimes becomes necessary, as nations gain or lose territorial sovereignty, for the Popes to shift the lines of episcopal authority. For this reason French bishops lost jurisdiction in America to Spanish bishops after the treaty of 1763, and later control over parts of Louisiana territory passed to the American church.²⁹ Subsequently, as this country expanded westward, more ecclesiastical jurisdiction was shifted to the American church. An example of such transfer is Oregon.

In the transfer of Canada to British political rule in 1763, the diocese of Quebec retained its jurisdiction in Canada and the vicar apostolic of the London district was to have jurisdiction over all other territory ceded to England by the treaty of Paris. From 1818 to 1845 the territory of Oregon was disputed politically;

²⁹A table of Catholic jurisdictions in French and Spanish possessions can be found in Peter Guilday (ed.), "Notes and Comments," in *The Catholic Historical Review*, I, 251.

ecclesiastically it was considered to be neutral territory. When the Holy See granted a request of the second provincial council of Baltimore in 1833 for Jesuits in the Indian missions, Father De Smet left in 1840 for the West, where he arrived four years later at Columbia Bar via a journey around Cape Horn.³⁰ In the meantime, what is now British Columbia had been annexed by a grant of 1836 to the Vicariate Apostolic of the Northwest at Boniface, Manitoba. This vicariate was attached as an auxiliary and suffragan see to the diocese of Quebec. The American missionaries of the West were instructed not to exercise their faculties in the territory which was contested by the two governments. Together, in 1838, the episcopal authorities of Quebec and Baltimore recommended that a special mission of Oregon be created, and Father Blanchet, who was already serving as vicar general of the Bishop of Quebec in Oregon territory, was appointed when the Holy See acted on this recommendation. Then began a long and perilous journey for the missionary. To be consecrated in Montreal he sailed in 1843 for London, touching at Honolulu and rounding Cape Horn; from London he travelled to Boston and thence to Montreal, a total distance of 22,000 miles. While he was absent, the British American treaty of 1846 established the present boundary of Oregon, and the bishop came back to his diocese in Oregon City as the head of the second American province of the Catholic Church in order of time.³¹ The first synod of Oregon was held in the Church of Saint Paul on the Willamette in 1849.

Numerous transfers of jurisdiction have given American Catholic bishops ecclesiastical authority over lands acquired by the United States. In 1950 various members of the American hierarchy exercised jurisdiction over the vicariates apostolic of Alaska, of Guam, of Samoa, over two dioceses of Puerto Rico, over a vicariate apostolic and other territory in the Canal Zone, over the diocese of Honolulu in Hawaii, over three vicariates apostolic in

³⁰Father De Smet left in response to a request of the Flathead and Nez Perces Indians, who sent to St. Louis for missionaries in 1831. He aroused the American hierarchy to their needs. Cf. O'Gorman, *Catholic Church* the third diocese (1847).

³¹Owen B. Corrigan, "A Chronology of the Catholic Hierarchy of the United States," in *The Catholic Historical Review*, I, 379. St. Louis was in the U. S., 421.

British territory (in the Bahamas, Jamaica, and British Honduras), over two dioceses of the Oriental rite in the United States proper, over one abbey *nullius*, and over the military ordinariate of the American Army and Navy.

As of January 1, 1951, the Church in the United States had four cardinal archbishops, twenty-three provinces and one hundred sixty bishops, 27,347 secular and 15,623 religious clergy, and a Catholic population, in the continental United States, of 27,766,141.³² Today as a result of two wars and of the difficulties experienced by the Church as a whole under totalitarian governments, a large part of the responsibility for foreign missions, both in funds and in personnel, is falling upon the Catholic Church in the United States. In 1949, almost twenty-eight million Catholics lived under the jurisdiction of Catholic missions on six continents and in Indonesia. The Second World War brought losses of over fifty million dollars to Catholic missions, killed 1,430 missionaries, and injured 540 more. Into the breach thus created have gone American missionaries, priests, brothers, and nuns. In July, 1949, 4,123 Catholic Americans, 2,375 men and 1,748 women, were in active mission service outside of the United States, an increase in three years of 1,030 missionaries abroad.³³ Supporting these workers in the field were forty-nine American communities of men and seventy-three communities of women. Still the fields are white for the harvest and the laborers all too few. Yet wherever they go, they go in unity of faith and of sacraments and in administrative unity with the Papacy. Through and in the person of the Popes, lands under religious orders supervised by the Congregation of Religious and missionary territory under Propaganda are joined in apostolic unity with the established dioceses, combined to make the Universal Church.

This Church, a world-wide spiritual community, is neither national nor international; it is not organized on lines of nationality. It recognizes the existence of national states, and the necessity for such units of political rule, without necessarily approving of the actions of their officers. In some respects it adjusts its adminis-

³²*National Catholic Almanac*, 1951, 183.

³³*Ibid.*, 349.

tration to national lines; in other respects it adheres to the principle of universality. So it modifies its own boundaries in order to diminish conflict with national states and also makes concessions to the national, cultural and linguistic needs of Catholics, while it remains a world-wide Church.

Organized on a level independent of nations, the Catholic Church is now facing the organization of political units on the international or supranational level. Among them are the specialized agencies such as the International Labor Organization and the World Health Organization as well as the United Nations and the Communist Party. How does the Church compare with them as a world society? Is it a world government? Is it a world state?

III

THE CHURCH AS A WORLD SOCIETY

THE average Catholic, living in a diocese and under its regulations, usually thinks of the Catholic Church in Rome in terms of making a visit there and of an audience with the Holy Father. This is not the viewpoint of most persons who are not Catholics, who frequently think first of the Catholic Church as a world-wide institution whose interests are political as well as religious and extend far beyond the territorial borders of any national state. In so considering the Church as a whole, the non-Catholic often regards it with distrust and even with fear, asking "Is the Church a world state, a world power, a world government, or none of these things? How does it compare with two other world-wide bodies which lay claim to world-wide authority, the United Nations and the international Communist Party? Is it totalitarian?"

It is more fitting to call the Church a world society than to call it a world state, a world government, or a world power. The latter term would be misleading if applied to the Church. If one considers the temporal power of the Popes in Vatican City it is true that in many ways the Holy See resembles a national state such as England, France, or Italy. However, to call it a world-wide state would imply that wherever it exists it exercises some sort of territorial power. No state exercises world-wide civil jurisdiction; neither does the Church. There is no world state.

Neither is the term "international society" applicable, because the Church, as a world organization, does not have nations as members. It is not a league of nations, nor a league of national churches, nor a league of dioceses, but one and indivisible, the Holy Roman Church. Its basic units of administration are dioceses and provinces, rather than nations. The Holy See is a diocese, and also the central see of an ecclesiastical province. It possesses also, under the name "State of Vatican City," a very small territory recognized as sovereign by other states, but it is not in any sense an "international" agency.

Neither would it be correct, from the point of view of political theory, to refer to the Church as a "world government" or a

"world power." It neither governs the world in any customary sense of the word "government", nor has it the economic and political forces it must command to be considered a "power." Yet there is no doubt whatever that it acts in many ways like a government or that, like a world "power," it exercises tremendous spiritual authority over its members and also exerts notable influence throughout the world on many who are not of its membership. The words which most truly describe the Church are "world community" or "world society." It is an oecumenical community, one in faith, one in the sacraments; a communion under one law, a body under one head. Where the Catholic faith is, where the sacraments are obtainable, where Mass is offered, where priests of its communion may be ordained, there is the Church. The life of this body is sacramental life. It is a union in Holy Communion, a union wherein dwells the Holy Spirit.¹

For purposes of clarity two questions here require an answer: 1) Is the Catholic Church a national state? and 2) Is Vatican City a sovereign state? The first question must be answered in the negative, the second in the affirmative.

The Universal Church has, it is true, many of the attributes of a national state. It has governmental forms, continuity, and unity—important essential elements of a national state. It has "population", in the sense that millions of Catholics the world over recognize its authority in spiritual matters. But its unity is spiritual and sacramental, not social, linguistic, or cultural. Its faithful "population" is made up of individuals who possess, cherish, and implement a temporal allegiance to one or another of the numerous national states of the world. It is not a body of more or less homogeneous national unity, but an administration without nationality. Its ecclesiastical language, ecclesiastical Latin, is not classical Latin, nor is it completely universal as the language of its rituals or its documents, and the use of this language is generally confined to its clergy.

¹An excellent analysis of the Church community is to be found in a lecture by Father Philip Hughes, "The Constitution of the Church," in *Under God and the Law. Papers Read to the Thomas More Society of London* (Westminster, Md., 1949), ed. by Richard O'Sullivan, 61 ff.

The "distinguishing mark" of the national state, according to many political scientists, is sovereignty—internal authority, and external independence, interpreted in terms of the police power and armed force. There is no papal army, but the Church does perform some sovereign functions. It has an effective law—canon law, the product of oecumenical councils and of papal decisions, although this law is not comparable to ordinary civil and criminal law. Canon law does not, for example, embrace the civil relations of members of the Church. The Holy See does sign treaties and concordats which require no further ratification within the Church to become binding engagements. Such treaty negotiation is generally recognized as the exercise of a sovereign function. However, the Church does not have material force at its command—the armed "effectives" by which some governments measure the strength of all governments.

Not only has the Pope no army, but he exercises little or no police power over health, safety, and welfare. Catholic hospitals, which exist around the world and which antedate public hospitals by centuries, are not public services for members of the Church, but rather private agencies which provide private health and medical services, as well as charitable services, without religious distinction. The government of the Church at Rome exercises little or no immediate authority over such institutions outside of the diocese of Rome.

The educational services that the Church provides consist of universities, colleges, secondary schools, and parochial schools established by and under the authority of bishops; or of pontifical colleges, and universities sponsored by and partially supported by the Pope; or of seminaries for training priests, erected and supported by dioceses, provinces, or, in Rome, by the Holy See. This educational function more nearly approaches the exercise of the police power of states, but there is considerable local autonomy in this matter. The curricula are adjusted to local circumstances and to state requirements. Although seminaries and pontifical universities tend to follow a general pattern of higher education, the curricula of other institutions vary from diocese to diocese and from country to country with some generic super-

vision from the Church at Rome by means of the Sacred Congregation for Seminaries and Universities.

Finally, from a governmental point of view the revenues of the Church are voluntary contributions rather than taxes. In actual fact the collection of Peter's Pence may be under some assessment system, by which the amount to be expected from each contributing administrator is more or less set by mutual agreement during regular visits to Rome. These matters are not publicized for the curious eyes of laymen, or even of the hierarchy. The Pope has other revenues—gifts, the customary diocesan proceeds of the diocese of Rome, and payments made by the Italian Government on the relatively nominal sum set as compensation for the extensive confiscation of papal properties in and after 1870.²

From the considerations above it may be concluded that whatever else it may be, the Universal Church is not a sovereign state. The same comment does not apply, however, to Vatican City. In that miniscule area of territory the Pope reigns as both spiritual and temporal ruler. Faithful Catholics of all the world recognize the spiritual sovereignty of the Pope; at the same time they recognize also the temporal sovereignty of their civic rulers. In Vatican City alone, and in the small territorial enclaves attached to it, does the Pope possess and exercise a true temporal sovereignty. There he is not only the spiritual ruler, but the civic ruler as well. There he possesses definite, independent, and supreme temporal authority. This state, small as it is, has a resident population living within well-defined boundaries. It has its own civil government quite independent of external control. Yet some political authorities deny to it the character of a sovereign state.

Its so-called territorial subjects, they point out, are usually also citizens of Italy. Furthermore, by the Treaty and Concordat of 1929 with Italy, Vatican City gave up some civil authority over its non-national subjects by agreeing on occasion to submit the

²Cf. the Financial Convention which was a part of the settlements of February, 1929, and is printed in *Royal Institute of International Affairs, Documents on International Affairs, 1929* (London, 1930), 226. Italy agreed to make an immediate payment of 750,000,000 Italian lire and simultaneously to hand over to the Holy See "such a sum in Italian 5% Consolidated Bearer Bonds" (with coupons currently payable) "as shall represent the nominal value of (one billion) Italian lire."

authors of common crime perpetrated within Vatican City to the jurisdiction of Italian law and courts.³

Those who question the statehood of Vatican City claim that its territory is too small to be truly independent or sovereign. Vatican City is 108.7 acres in extent, one-sixth of a square mile;⁴ it is really a large garden bounded by a high wall, by St. Peter's Basilica and the Vatican Museum, by buildings used for the offices and for some few residential rooms of Vatican personnel. Among these buildings is the Vatican Palace, where the Vatican Library is, and where the Pope lives in a few rooms. Audiences are also held here. Vatican City and other papal enclaves of land in Italy are entirely surrounded by the territory of one national state, Italy. It is necessary to travel through Italy to reach the Holy See. As a result, the argument runs, the freedom of the Church to govern itself depends on the sufferance of the Italian Government. Pope Pius XI admitted that he would have to rely on the good faith of Italians and of the Italian Government for fulfilment of the Treaty, Concordat, and Financial Agreement of 1929, but he also reminded observers that the ratification of a treaty between Italy and the Holy See was itself a proof of the equal sovereignty of both signatories.

For almost sixty years before the agreements of 1929, the unwillingness of the Italian Government to recognize papal sovereignty in Vatican City had kept the Popes prisoners within the Vatican. One after another the occupants of the Holy See had refused to go out of Vatican territory, to visit their summer home at Castel Gandolfo, to call upon the Italian king, or even to bless the people and city of Rome from the balcony of St. Peter's, until they could do so as a sovereign recognized by the Italian state. For almost sixty years Roman society was divided into the Whites or *Bianchi*, who entertained in lighted salons and associated with the officers of the Italian kingdom, and the Blacks or *Neri*, whose salons were closed, who did not entertain formally, and who associated with

³Cf. the Treaty of Conciliation, February 11, 1929, article 22 in *Documents on International Affairs*, 1929, 224. At the same time the Holy See agreed to extradite criminals to Italy if charged with crimes prohibited by the law of "both States."

⁴*National Catholic Almanac*, 1950, 57.

the officers of the papal administration. During all that time the Cardinals who entered a conclave to elect a new Pope could expect that one of them would remain immured within Vatican walls for the rest of his life.

Pope Pius XI signed the agreements by which papal sovereignty received Italian recognition, and he also blessed the rejoicing Romans from St. Peter's balcony. He drove out later in the year into Rome and still later to Castel Gandolfo for a summer's vacation. An exchange of visits between the Pope and the King of Italy also took place in 1929, for the first time in fifty-nine years. Now Italy has no king, but the relations between the Papacy and the Italian state, except for political party changes made since that time, are as they have been since 1929. The Lateran agreements have been made an integral part of the republican constitution of Italy.

Even while the Italian Government was refusing to make public acknowledgment of papal sovereignty, it gave practical recognition to the sovereign status of the Pope in Vatican City by not interfering with the activities of the Holy See. The only exceptions were one or two anticlerical demonstrations of Italians in St. Peter's Square within the domain of the Holy See, the expulsion from Italy during World War I of ambassadors to the Pope from countries with which Italy was at war, and the interception of papal telegrams and mail to and from these same territories.

By the treaty of 1929 the sovereign status of the Pope was recognized. Any attack made upon his person in Italy would incur the penalties incurred by an attack on the head of the Italian state. The diplomatic immunities of envoys to and from the Holy See were recognized as equal to those of ambassadors to and from the government of Italy. Papal lines of communication, by radio, telegraph, telephone, and railway were also recognized as immune from interference.⁵ Italy and the Holy See exchanged ambassadors and nuncios. In furtherance of his freedom of communication, the Pope built a private railroad entrance to Vatican City, and erected a powerful radio transmitter to broadcast papal messages.

⁵Cf. the Treaty of Conciliation, 1929, articles 8-12, and 19, *op. cit.*, 223-224; and the Concordat of the same date, article 2, *ibid.*, 227.¹

New York's Francis Cardinal Spellman was the English translator of the first Latin message sent by Pope Pius XI from the Vatican City radio station.

During the Second World War foreign envoys from countries at war with Italy were housed within the Vatican, as were the students of the Ethiopian College at Rome, and some unnamed persons who sought and received political sanctuary from the Church.⁶

Another reason why some political theorists deny that the Catholic Church in Vatican City can be called a state is that it does not perform all the usual civil functions performed by other states. Significantly, they say, it maintains no national army.

The Swiss Guards, traditional bodyguards of the Pope, are hired soldiers, not a citizen army. Their chief security function is to provide guards for the gates of Vatican City, the doors of the palaces, and the papal apartment. Some of its members are also present whenever the Pope officiates at a ceremony in the papal chapel. Today the Swiss Guards are equipped with modern rifles, and recently they have received permission to practice marksmanship on a rifle range belonging to the Italian Government. The pontifical gendarmes, not the Swiss Guards, are the official police force of Vatican City. They police the interior corridors of the palaces as well as the gardens. Some of these police double as musicians by giving concerts on certain feast days.⁷ A bugle corps of the Swiss Guards performs at solemn ceremonies in St. Peter's.

Two other quasi-military services attached to Vatican City are the Noble Guards, who number about seventy, and the Palatine Guards, who number about five hundred. The first group, chosen from young men of Roman noble families, are the Pope's personal bodyguards when he appears in public, at audiences and some ceremonies of a solemn nature. They carry swords. When the Pope officiates at solemn ceremonies in St. Peter's, or when, dur-

⁶Among the "nameless" ones who sought and received sanctuary were political leaders opposed to the policies of the Church, some of whom have since that time revealed their identity.

⁷*National Catholic Almanac*, 1950, 58.

ing a conclave, a larger number of guards is needed in the Vatican, the Noble Guards are augmented by the Palatine Guards, youths chosen from non-noble Roman families. Altogether these forces do not contain more than about a thousand men, nor could they be called an army, although the Noble Guards fought the invading Italian forces in 1870 until the Pope ordered them to desist. Papal Knights, another group with a name that has military connotations, wear colorful military uniforms and carry swords, but they play no military or police role. They do not live in Rome, and their titles are honorary.

Although papal sovereignty is denied by some political theorists, it is accepted by others. These latter classify the Papacy, in Vatican City, as a small, weak, non-national sovereign community that might be called a state. To them, Vatican City retains the sovereign character of the Papal States, of which it is the surviving remnant. Their judgment is supported by the fact that in Vatican City are exercised many powers that are customarily recognized as sovereign and there are exhibited the legally accepted marks of sovereignty. Vatican City has its own civil law and courts. It has also a papal flag, a papal crown, a coat-of-arms, a postal administration, and its own postage stamps. Like a monarch, the Pope has a throne room, a throne, and a court with court dignitaries. He also gives audiences of varying degrees of formality.

Moreover, life in Vatican City is governed by court punctilio and protocol. One of these rules is that the Pope dines alone. When Achille Ratti, Pope Pius XI, wanted to invite his sister to Sunday evening supper, there was scandalized protest from his officials because such an invitation was contrary to rule. "Who made the rule?" asked Pope Pius. When informed that it had been set by one of his distant predecessors on the papal throne, he replied: "What a Pope can do, a Pope can undo." His sister joined him at supper. Kings and presidents, and heads of other states call upon the Pope when they visit Rome just as they call upon the political head of Italy. At times there have been ceremonial difficulties over these visits, so that it was almost impossible to call upon both the Pope and the King during the same visit. At times visiting sovereigns or relatives of sovereigns have had to

face criticism from predominantly non-Catholic peoples because they had called socially upon the Pope. The visit of Princess Margaret of Great Britain to Rome, during which she called upon the Pope, and later that of Princess (now Queen) Elizabeth and her husband are recent examples of this situation. This attitude is not general, however, nor is it as prevalent as it was even fifty years ago. On the contrary, an increasing number of national governments maintain official relations with the Pope by sending and receiving diplomatic missions.

The Church supervises the work of its own foreign representatives and deals with representatives sent to it by foreign governments, including that of Italy, through the work of the papal Secretary of State and of one Sacred Congregation, the Sacred Congregation for Extraordinary Ecclesiastical Affairs. The papal Secretariate of State is an administrative office which dates from the rise of diplomatic representation among governments in the fifteenth and sixteenth centuries. Originally this office in the Church was held by a cardinal related closely to the Pope. Pope Innocent VIII, in 1481, unified the work of the "superintendent of ecclesiastical affairs of state." Before 1870 the Secretary of State directed the meetings of the council of ministers for the Papal States; since 1870 his work has been principally that of directing the foreign relations of the Holy See. He thus fulfills the usual duties of the head of a foreign office in a civil state. He receives ambassadors formally before they are received in private audiences by the Pope, and he acts as chief to the apostolic nuncios sent abroad by the Holy See.

On rare occasions the Secretary of State entertains socially for the Pope, because the Pope does not have state dinners as do Presidents of the United States. The Secretary of State also acts as a liaison officer between the Pope and the Sacred Congregations. He may, *ex officio*, attend a meeting of any one of them. Appointments to the curia are made through him. He sometimes conducts a limited press conference when the Pope has made or wishes to make a statement on a current question. But such a statement is more likely to appear in the *Osservatore Romano*, the semi-official Vatican newspaper. Pope Pius XII was Secretary

of State before he became Pope. Since the death of Cardinal Maglione, shortly after the beginning of his reign, the Pope has acted as his own Secretary of State. There is, however, a substitute Secretary of State who performs some of the duties of the Secretary, such as meeting distinguished pilgrims on arrival in Rome.

The Secretary of State is aided in his work by a diplomatic staff, members of which are sent abroad in exchange for diplomatic representatives accredited to the Holy See by other governments. Advisers are also sent to the bishops of countries which do not maintain diplomatic connections with the Pope. For this diplomatic service the Pope uses prelates who have no diocese, but who are given the titular rank of bishop or archbishop without a residential see. In 1951, forty-six governments had diplomatic representation at the Vatican, but not all of the posts were filled. Most of these representatives are accredited from either the older so-called "Catholic countries" of Europe, Austria, Belgium, France, Poland, Portugal, and Spain; or from Latin American states in Central and South America and the Caribbean area. Three are from the Near East, four from behind the "Iron Curtain", including one from Lithuania which is no longer recognized as a state. India, Eire, and Great Britain each send a diplomatic representative.

The government of France discontinued its representation at the Vatican in 1906. In 1924, when the Chinese Government renewed an old request for diplomatic connection with the Holy See, the government of France asked to renew its own diplomatic ties with the Pope and at the same time asked to have French bishops in China retain their predominant position in representing the interests of the Church in the Far East. As a result of the French requests, and of other factors, the exchange of papal diplomats with the Chinese Government was delayed until 1934.⁸ This

⁸The exclusive protection of Christian missions was granted to the French Government by the Chinese in a series of treaties from 1844 to 1899, substantiated by two accords between the Vatican and the Republic of France in 1926. Cf. Yves de la Brière, *L'Organisation internationale du monde et la papauté* (Paris, 1924), 245. French opposition prevented two earlier nuncios to China from being sent on their missions. In the end an apostolic delegation

situation may have stimulated the desire of Pope Pius XI to develop a native Chinese hierarchy. In January, 1951, the diplomatic posts at the Vatican of nine countries—Czechoslovakia, Germany, Japan, Guatemala, Honduras, Hungary, Panama, Paraguay, and Romania—were vacant.⁹

Through the Secretary of State the Holy See returns papal nuncios or internuncios as diplomats to the countries from which it receives diplomats. The position of nuncio corresponds to the civil title of ambassador, that of internuncio more or less closely to the civil title of minister. When the Pope wishes to send a representative on a special brief mission he may send a cardinal with the title of legate *a latere*. To countries which send no diplomatic representative to the Vatican, the Church sends non-diplomatic officers called apostolic delegates. They act as advisers to the hierarchy and as liaison officers between the hierarchy and the Sacred Congregations in Rome. They also report to Rome on the conditions of the Church throughout the whole country in question.

The war and the following Communist revolutions have disrupted the connection of the Holy See with some governments, so that some diplomatic and some non-diplomatic posts of the Pope are vacant; others are held by temporary officers. In January, 1951, forty-four of the sixty-seven papal posts abroad were diplomatic nunciatures or internunciatures, and twenty-three were apostolic delegations. Six of the diplomatic posts—Czechoslovakia, Estonia, Hungary, Latvia, Lithuania, and Romania—were vacant. Three of these are in the Baltic states which have been crushed out of existence and incorporated into the Soviet Union. Further antireligious disturbances continue in a number of the Soviet satellite states. Four of the apostolic delegations, those in Albania, Bulgaria, Greece, and Syria, were also unfilled in January, 1951.¹⁰

Altogether eleven posts, diplomatic as well as non-diplomatic,

was created. Cf. Yves de la Brière, *Les Luites présentes de l'église* (Paris, 5th series, 1921), 232 ff. Also V. K. Wellington Koo, *The Status of Aliens in China* (New York, 1912), 302 ff.

⁹*Annuario Pontificio*, 1951, 876-885.

¹⁰*Ibid.* 865-874.

are now filled by temporary officials. For example, Bishop Joseph Patrick Hurley of the diocese of St. Augustine, Florida, was sent by the Holy See as Regent *ad interim* of the Apostolic Nunciature to Yugoslavia in 1945.¹¹

Since the government of Germany has not been fully restored to sovereign status since the last war, diplomatic ties of the Holy See with Germany have not been fully restored. Bishop Aloisius Joseph Muench of Fargo, North Dakota, was first sent by the Pope to Germany as liaison officer with the American Military Government in July, 1946. After the Bonn government came into being, Bishop Muench was appointed regent of the Apostolic Nunciature in Germany. In 1951 he was appointed nuncio by the Holy See.¹²

Another American, the Most Reverend Gerald P. O'Hara, Bishop of Savannah-Atlanta, served as regent of the Apostolic Nunciature in Romania between January, 1947, and July, 1950, when he was dismissed by the government of Romania on trumped-up charges which included spying. In November, 1951, Bishop O'Hara was appointed papal nuncio to Ireland.

Of the twenty-three apostolic delegates, ten report to and are dependent upon the authority of the Congregation for the Propagation of the Faith, five are dependent on the Consistorial Congregation, and eight on the Congregation of the Oriental Church. Those which depend on Propaganda are delegates to the hierarchy in missionary territories. Some of them are delegates to more than one country at a time. The apostolic delegations which depend on the Congregation of the Oriental Church are those located in countries where there are Catholics of the Eastern rites. Three of the apostolic delegations dependent on the Consistorial Congregation are in English-speaking countries—Great Britain, Canada, the United States—where the Church is well established but where the government does not wish to receive a nuncio. Mexico and the Philippines are in the same category. Great

¹¹The possibility of Bishop Hurley's return to the United States was discussed in 1949 (*New York Times*, May 31, 1949). He remained in Yugoslavia, becoming an archbishop without a province in August, 1949.

¹²Bishop Muench was made an archbishop in 1950 (*New York Times*, November 2, 1950).

Britain sends to the Holy See an envoy with diplomatic rank, but does not receive a nuncio in exchange. Canada sends no representative to the Papacy, and the United States has sent no official representative since 1868. One reason why the governments of these three countries do not wish to receive papal envoys is that the work of the Catholic Church in them is not regulated by any concordat between the Pope and the government. The English Government has its own established church. In the United States the Federal Constitution makes an established church impossible. In all these countries there have been periods of Protestant-Catholic friction, and there is great national opposition to close diplomatic relations with the Pope.

Between 1848 and 1868 the United States accredited a minister to the Papal States. Between 1797 and 1870 United States consuls resided at Rome, Ravenna, and Ancona within the territory of the Papal States. Between 1826 and 1870 papal consuls resided variously in Washington, Trenton, Philadelphia, New York, New Orleans, Baltimore, Charleston, Norfolk, Savannah, Boston, Cincinnati, and San Francisco. The Vatican has never accredited a regular diplomatic representative to the United States. The nearest approach to papal diplomatic representation here occurred when Pope Leo XIII sent Archbishop Francesco Satolli to the United States with the title of Papal Alegate to represent the Holy See at the opening of the World's Columbian Exposition in Chicago in 1892, and to deliver to the United States Government on loan various precious cartographical exhibits from the Vatican collections.¹³

From 1870, when the Papal States were incorporated into the new Kingdom of Italy, until 1939, the United States maintained no official agent in any capacity at the Holy See. On Christmas Eve in the latter year President Franklin D. Roosevelt announced the appointment of Mr. Myron Taylor as his personal representative to the Pope. This was not a regular diplomatic appoint-

¹³The two standard source works on official United States-Vatican relations are both edited by Leo F. Stock: *United States Ministers to the Papal States . . . 1848-1868* (Washington, 1933), and *Consular Relations Between the United States and the Papal States . . .* (Washington, 1945).

ment, but it did constitute quasi-recognition of the sovereignty of the Holy Father. Mr. Taylor's mission in the character of personal representative of the President was continued in May, 1946, by President Truman. This type of official contact between the two heads of state was terminated with Taylor's resignation on January 18, 1950.

Mr. Taylor's original appointment by President Roosevelt, as well as its renewal by President Truman, occasioned emphatic protests by the leaders of various non-Catholic religious groups in the United States. After Mr. Taylor's resignation the post which he had held was not filled.

It was therefore a matter for considerable general surprise—to Catholics and non-Catholics alike—when President Truman, on October 20, 1951, sent to the Senate for confirmation the appointment of General Mark Clark as ambassador extraordinary and minister plenipotentiary to the State of Vatican City. The nomination came to the Senate on the closing day of the first session of the 82nd Congress, too late for action to be taken upon it. A recess appointment by the President was not feasible because of the desire of General Clark to retain his military rank and a law of 1870 forbidding the appointment of military officers to civil posts in the executive branch. Only Congress could waive this prohibition. In the interval between the end of the first session, and the opening of the second session of the Congress on January 8, 1952, protests against the resumption of formal diplomatic relations with the Vatican poured into the White House. The President indicated that he intended to resubmit the nomination of General Clark to the Senate. A considerable furore over this matter seemed to be shaping up when Congress reconvened. Shortly after the opening of the congressional session the President, at the request of General Clark, withdrew the nomination, but indicated that he would later submit another name for the same post.

A majority of objectors to the move alleged that it would constitute a violation of the "American principle of separation of church and state" in that it would prefer one religion over another. Here it might be noted that the proposed appointment would accredit an ambassador to the head of a state who happens

to be also the head of a church. This constitutes no precedent, since the King of Great Britain is also head of the Church of England. There is, nonetheless, a difference in the two situations. The King of Great Britain is primarily a temporal ruler, and only secondarily a spiritual leader; the Pope is primarily a spiritual sovereign, and only secondarily, a temporal ruler. The temporal dominions of the one are vast, those of the other minute. In theory at least, however, they are equally temporal sovereigns, legal rulers of independent states. Political scientists do not measure the existence or non-existence of statehood by extent of territory or size of population, but rather by the presence or lack of sovereignty. The United States accredits diplomatic representatives to political entities whose practical independence from external control is far less than that of Vatican City. From the point of view of theory and law it would seem that there can be no valid objection so long as the American representative is accredited to the Pope as sovereign of the State of Vatican City, and not to the Pope as Supreme Pontiff of the Roman Catholic Church.

From the point of view of political advisability and the practical interests of the United States, this proposed appointment may be legitimately questioned, just as the proposal to establish a new set of diplomatic relations with any foreign state may be legitimately questioned. An act may be entirely legal and proper, violating no law or constitutional precept, and yet be inadvisable or impracticable. Some Catholics as well as many Protestants in the United States question the proposal on these grounds. In the controversies to which President Truman's action have given rise, Catholics have for the most part confined themselves to resisting the claim that the proposal if carried through will put an end to the separation of church and state in the United States. There is no doubt that all intelligent Catholics would welcome a frank and calm discussion of the question on its merits as a practical political move. They feel that to treat this issue as one involving the special recognition of a Church is begging the question. The terms of President Truman's reference to the Senate indicate that what is involved is the recognition of a state as a political entity. Debate on the merits of the proposal as made would, many Catholics feel, generate less heat and shed more light.

It is evident from a number of semiofficial reports in secular and religious newspapers that the officials in charge of Vatican diplomacy hope for approval of the President's proposal. This attitude is not hard to understand. American prestige is partly at stake. Vatican City is one of the important diplomatic "listening posts" in the world, a center that receives information which cannot be obtained elsewhere. Although there may be relatively few matters which require negotiation between the Vatican and Washington, the United States, as one of the most powerful nations of the world, should have diplomatic prestige and precedence at Vatican City. Nevertheless, under international etiquette, the personal representative of an American President must yield precedence at the Vatican to the ambassador or minister of any country accredited there, no matter how small that country may be. It is embarrassing to the diplomatic staff of the Holy See to treat with the representative of the President in a delaying, round-about way. It is embarrassing to the President's representative to be of necessity relegated to a post lacking the honor and dignity due him.¹⁴ It is arrogant and idle for Americans to discuss the possibility of asking the American Ambassador to Italy to drop into the Vatican occasionally to pick up such bits of information as we may find useful in our international dealings. Neither the Vatican nor the Italian State wish to have their dignity compromised or their interests combined with one another by such an arrangement. More practically important for the United States, (since the workability of such an arrangement would not depend on us), neither Italy nor the Vatican would be likely to cooperate under such terms. Another practical consideration arises from

¹⁴President Roosevelt recognized the anomalies of the situation, as evidenced by a letter written in January, 1940, to Senator Josiah Bailey of North Carolina. The President wrote, in part: "Whether we like it or not, mere messenger boys, even when they are messenger boys sent by the President of the U. S., eat in the servants' hall in foreign countries—and I could have hesitated to put Myron Taylor, who after all is a very great American, into such a position. Whether we like it or not, there are certain titles which carry with them the right to sit at the supper table above the salt. Whether an American . . . is called an ambassador or by some other title ought to make very little practical difference in this country, but it makes a very great deal of difference in every other country. . . ." (*Time*, November 5, 1951, 21).

the fact that it would be unlikely for one man to possess the different qualities and skills required for such a dual responsibility.

It is probably true that the Vatican would prefer a direct and formal relationship to the atmosphere of private and informal conversations that characterized the previous personal missions of the American Presidents. Myron Taylor was the only one of his category among representatives to the Papacy. His appointment was at best a subterfuge, a means of acquiring representation without complete acknowledgment of the fact. From the Presidents' points of view, this informal representation was probably the only position they felt able to establish in Rome without too much injury to their political futures.

Since the constitutional jurisdiction of the American Federal Government does not include the power to regulate ecclesiastical affairs, there is little need for a nuncio to be sent here in place of an apostolic delegate. It is true that under normal circumstances diplomatic exchange of representatives of like rank is the prevailing rule between states. Should that rule prevail, the Pope, upon notification of an American ambassadorial appointment, would name a nuncio, the papal equivalent of an ambassador, as his representative to the United States. On the other hand, there is precedent for his not taking such action. The United Kingdom accredits a minister to the Vatican but, evidently out of regard for British preferences, the Holy See sends no diplomatic representative to the Court of St. James. Intimation of a similar attitude on the part of the United States might well result in parallel action. The question of federal aid to schools is one of the few types of federal legislation in which the Holy See might be theoretically interested. Most laws that concern the bishops are made at the state level. It is difficult to see where the appointment of a nuncio would have any advantage over that of an apostolic delegate in such a matter as federal educational aid. Members of the hierarchy, as American citizens, have already expressed themselves on this subject. Accustomed to dealing relatively informally with the apostolic delegate sent to themselves, the American bishops might little relish having to deal more formally with a papal representative accredited to their government. Nor can they relish, on the other hand, the recent low rank of their nation at the papal court.

In some of the older, so-called Catholic countries of the world, the authorities of the Church consult with the heads of state over such matters as the constitution and division of dioceses, the selection of bishops, the teaching of religion in the schools, and the laws governing marriage, religious orders, ecclesiastical and religious property, and the maintenance of cemeteries. In these countries the general principles are usually laid down in agreements, called concordats, between the Church and the state. The diplomatic representatives consult each other over the detailed application of principles. Whenever any of the aforementioned matters comes to the attention of the Popes, it is usually referred, by way of the Cardinal Secretary of State, to the Sacred Congregation on Extraordinary Ecclesiastical Affairs, which acts accordingly as a subordinate branch of the Secretariate of State. This Congregation therefore prepares concordats and deals with matters of unusual delicacy in church-state relationships. At one time it had charge of the government of the dioceses of South America as well as of seven apostolic vicariates and three prefectures there. It also had charge of the three apostolic delegations of Cuba, the Philippines, and Mexico, and of the Catholic dioceses in Russia and in Portuguese Asia and Africa. Today the only representative of the Pope who is dependent on this Congregation is the internuncio to India.¹⁵ Affairs of the Church in the Soviet Union are entrusted to a Commission on Russia, which remains subordinate to this Congregation. The Pope maintains a Pontifical Russian Seminary in Rome to train Russian priests to serve Russian Catholics of the Uniate Eastern Rite.

Ethiopia has a special envoy and Mexico an apostolic visitor as a temporary observer in place of an apostolic delegation but, as already stated, Ethiopian affairs are handled in the Congregation of the Oriental Church, and Mexican affairs in the Consistorial Congregation.

The work of the Congregation of the Eastern (or Oriental) Church might be classified as diplomatic, but this would not be an exact classification. It is rather a congregation whose work

¹⁵*National Catholic Almanac*, 1951, 96.

exactly parallels that of the Consistorial Congregation, or that of the Congregation for the Propagation of the Faith, in a special and limited area. It deals with religious and ecclesiastical questions which arise in that part of the Catholic Church which does not use the Latin rite or the Latin language in its services, but is nevertheless an integral part of the Roman Church. The Oriental or Eastern Catholic Churches, called "uniate" because they are in full communion with the Roman Catholic Church, must be distinguished carefully from the Eastern Orthodox Churches, which are in schism from the Roman Church. They must also be distinguished from the distinctly nationalistic offshoots of the Eastern Orthodox Churches which came into being during the period of Peter the Great of Russia, and in the nineteenth century. The Eastern Orthodox Churches broke away in schism from the Roman Church towards the end of the eleventh century and set up separate liturgies under schismatic patriarchs who fulfilled somewhat the role of metropolitans or archbishops in the Western Church.

In the early Church, before this schism, only the bishops of Rome, Alexandria, and Antioch were called patriarchs. Later the bishops of Jerusalem and Constantinople were thus honored. Of these five major patriarchates, three are now merely titular; there is a resident Latin Patriarch of Jerusalem who has jurisdiction over Catholics in Palestine and Cyprus, and the Pope is Patriarch of the West. The major Latin Patriarchs of Alexandria, Antioch, and Constantinople, and the minor Latin Patriarchs of the West Indies, the East Indies, Lisbon, and Venice are merely titular patriarchs. The title gives the possessor an honorary rank by which he may take precedence over other bishops in processions and at ecclesiastical meetings.

In the Eastern Orthodox or schismatic Church, however, the title of patriarch indicated the possession of limited administrative jurisdiction. The Eastern Orthodox Church maintained a liturgy and belief in the seven sacraments, and accepted doctrinal definitions and teachings of the first seven oecumenical councils of the Roman Church. It denied the doctrine that the Holy Ghost proceeds from the Father and the Son, and also refused to accept the doctrines of the supremacy of the See of Peter and of papal

infallibility. It kept its unity by a close observance of tradition and by deference to the Scriptures. As national branches of the Orthodox Church have broken away and sometimes become heretical, as well as schismatic, national so-called Orthodox Churches have multiplied, together with national patriarchs created by the clergy or the governments of the nations. As a result, it may require extensive investigation to discover the exact nature of an "Orthodox" Church.

In the course of time a number of Eastern Catholics severed their connections with schismatic Churches and returned to the Roman Church by accepting its doctrines. These returning Eastern Catholics were sometimes called Uniates. With the approval of the Roman, or Latin, Church, they set up Catholic Churches under Eastern Catholic patriarchs and Eastern Catholic bishops. They continued to use traditional or native languages in their religious services, and one or another Eastern rite. By far the best known of these Eastern Rite Catholics are about seven million who follow the Byzantine Rite of the Orthodox Church. Among those using this rite, some utilize the Greek language, some the Arabic, some Old Slavic, some Hungarian, some Romanian, as well as other languages and dialects.

There are other groups which have never been in schism with the Roman Church, but have never used the Roman rite; yet most Eastern Catholics are reunited schismatics. Seven other Eastern rites are used in addition to the Byzantine. Ancient classical languages such as Coptic, as well as modern speech, are used in them. In recent years unofficial estimates indicated that there were about 160 million non-Catholics of the Orthodox schismatic Churches, and eight and one-third million Eastern Catholics in communion with the Church of Rome, or a ratio of about nineteen Orthodox to one Catholic.

From the administrative point of view this body of Eastern Catholics requires special attention. The Eastern Catholic Churches were not subordinated to the Consistorial Congregation, but were at first organized under a subordinate commission, or subcongregation of the Congregation for the Propagation of the Faith. For some time the missions or parishes of the Eastern Churches were

subjected to bishops resident in the Near East, the Balkan countries, India, and Russia. However, with the emigration of many of these Catholics to the United States, Canada, and elsewhere, it became impracticable to maintain the authority of bishops who resided so far away from the emigrants.

Therefore a special jurisdiction was created for emigrants. Catholics of the Eastern rites, wherever they are, may have parishes which are exempt from the control of the local bishop, but subject to the supervision of a bishop of an Eastern rite. A diocese of the Byzantine Rite was established in 1913 at Philadelphia. It now has a bishop and an auxiliary bishop who exercise jurisdiction over all Byzantine Rite Catholics in the United States. In 1924 a similar diocese of the Greek Rite was established at Pittsburgh. Canada has several foundations, including among them Ukrainian (Byzantine) Catholics. A Franciscan commissariat at Clifton, New Jersey, has adopted the Byzantine Rite with the special permission of the Holy See to provide pastors and missions for Slavs of the Byzantine Rite. Three Franciscan priests of the Holy Name province of New York are serving on the faculty of the Ukrainian Catholic Seminary at Stamford, Connecticut.¹⁶

Changes in the situation of Eastern Catholics in the Baltic and Balkan countries and in the Near East, after the First World War and the Russian revolution, were so extensive and important that in December, 1917, Pope Benedict XV separated the work of the Oriental Church from that of the Congregation for the Propagation of the Faith. He set up a new Congregation for the Oriental Church and emphasized its significance by himself becoming its prefect.

Supervision over the affairs of the Church in Russia had already been transferred from the jurisdiction of Propaganda to that of the Sacred Congregation on Extraordinary Ecclesiastical Affairs by Pope Pius X. Although the organized Latin Church is almost extinct in the U.S.S.R., where there is a single congregation in Moscow for foreign Catholics, provided for by treaty and theoretically to be served by a Catholic priest from the United States,

¹⁶*Official Catholic Directory*, 1951, 632.

there are in Europe and elsewhere groups of Eastern Catholics who use Old Slavic in their liturgy. Some of them are Catholic refugees from Russia and others are converts. Although the Russian revolution has been going on for over thirty years, there may yet be Eastern Catholic priests hidden among the Russian people, and older Russian members of the laity who, like the laity of old Japan, hold the faith of their fathers close to their hearts, while they cannot observe it in the open.

To come to the final questions: If the Church is not a world government, how far does it have world-wide authority? How does it compare with two newer world organizations, the United Nations and the world-wide Communist Party?

The world-wide authority of the Church rests not on its governmental form, but on the divinity of its Founder, on the sacramental and teaching mission with which He charged the Apostles at the Last Supper, and on the indwelling of the Holy Ghost, Who descended upon these same Apostles on the first Pentecost. Its governmental structure has been developed as means of continuing its faith unsullied and its sacramental life vigorous from generation to generation. If it has any power, in the worldly sense of political power, that power can come only from the spiritual forces that flow from the example of Christian lives of justice and charity. Its spiritual jurisdiction, like its teaching mission, is divine in origin. As a means of maintaining its spiritual union, the Church has a world-wide unity of law, promulgated by oecumenical councils of bishops and by decrees and judgments of the Pope and the curia. It has been accused by its enemies of being a totalitarian Church, but this accusation ignores many facts. It is true that none of the officers of the hierarchy, from subdeacon to Pope, is elected by the laity, but neither are the expert administrators and advisers of modern nations elected by the citizens of states. As noted above, the laity forms the only reservoir from which the clergy may come and ultimately rise into the hierarchy.

The bishops and the Pope share exclusive powers of order to ordain clergy and consecrate other bishops, so their offices are self-renewing and not elective. But in the progress from priest to bishop, from bishop to archbishop, and from archbishop to Pope

in the hierarchy of jurisdiction there are elections, as there are also elections in religious orders. Religious orders follow a political principle, seldom breached, that after a six-year term in elective office a superior steps down in rank, yielding his place to one over whom he has ruled, in order that he may experience again the necessity for obedience. The promotion of priests from curate to pastor usually takes place not at the complete whim of the bishop but, in organized territories of the Church, as a result of the recommendation of diocesan examiners or after consultation with cathedral chapters, a process which recognizes the merit principle used by both republican and monarchical governments in selecting public personnel.

Further evidence that the Church is not totalitarian in form or procedure can be found in the elections of the Popes. The office of Pope is attached to the diocese of Rome; the Pope is Pope because he is elected to be Bishop of Rome. In early times the Popes were elected by the clergy and bishops of the Roman diocese, often with participation of the laity. In the late Middle Ages the elections of the Popes often occasioned scandalous quarrels among Roman factions, or among national factions in the Church, or between the Church and the Empire. At times a Pope has been nominated by an Emperor of the Holy Roman Empire. It was primarily as a means of fixing on the diocese of Rome the responsibility for choosing the Pope that the College of Cardinals, when created, was drawn from the bishops of the Roman diocese, and the pastors and deacons of Roman churches.

Today the election of a Pope takes place in a conclave isolated from outside interference, but the cardinals of the Sacred College who elect him are still actually or nominally connected with the Apostolic See, the diocese of Rome. Popes are nevertheless elective officers. There are no set qualifications for the position. A layman might be, but is not likely to be, elected Pope.

The doctrines of papal infallibility and Petrine supremacy, together with the infrequency of oecumenical councils, are set forth by critics of the Church as evidence of the absolute character of Church government. These arguments entirely ignore the nature of the Church and overlook the whole contemporary trend

in civil governments. When civil legislatures are confronted with a technical problem, their tendency is to set up an administrative department or agency with experts as members or consultants, and to give it a moderate amount of discretion in applying the policy set down by the legislature. When the philosophy underlying a constitution needs to be interpreted in a civil government, it is accomplished either by a supreme elected legislature or through review by a non-elective supreme court. Modern constitutions however, are not based on a revealed faith as is the Church. Many of the present problems of the Church are nevertheless matters which require the attention of expert congregations rather than legislative consideration. The Pope does not require the consent of his fellow bishops to add to or subtract a congregation from those already in existence.

Anyone who has read the history of the Catholic Church knows how much of its development has depended upon its bishops, priests, and laity as well as on the Popes. In oecumenical councils bishops have assisted and may yet assist the Popes in defining dogma and in organizing or reforming the government of the Church. Advocates of the conciliar theory of Church government argue that bishops are entitled to decide such matters by majority vote. Bishops, however, do not attend oecumenical councils as representatives of anything other than the whole Church; as successors, not singly but in a collective sense, to the Apostles. Their relationship to the Pope is not one of federal union in which bishops and Pope have distinct and different areas of power, nor is it a completely unitary relationship in which all power flows from the Pope downwards. They are all parts of a whole to which they, too, are subordinate. They are equals to the Pope in order, but he is their superior in jurisdiction. The faith is not a matter of policy to be defined by a legislature or council, a constitution to be interpreted by judicial review or amended by human wills. It is a body of revelation which the Church transmits from generation to generation. Where faith must be defined, in accordance with scripture and tradition, the bishops yield primacy to their fellow bishop of Rome in accordance with the words of Christ: "Thou art Peter; and upon this rock I will build my Church." No longer

are councils needed as they have been in the past. Through widespread Catholic Action the Pope and bishops are drawing into fuller activity the apostolate of the laity on a world-wide scale.

The Catholic Church has been a worldwide organization for several hundred years, and its universal character is deepening. During the last century other organizations have been extending their functions beyond national boundaries; we now have several hundred such organizations with differing ranges of jurisdiction. Of these the two most outstanding today are the United Nations and the Communist Party. How does the Church compare with them?

The United Nations, successor to the League of Nations, has very little resemblance to the Church either in its powers or its form. It is a union of the governments of sixty states varying in size from Yemen to the U.S.S.R. Some of the members of the United Nations have been long established as states; others are members of the Commonwealth of Nations (no longer called British), or are so-called republics within the U.S.S.R. Many states recently admitted are ex-colonies or dependencies enjoying a newly-established freedom.

None of the Axis partners in the Second World War—Germany, Italy, Japan—is a member. The nations which remained neutral in that war have not yet been admitted; the government of Spain is excluded. The State of Vatican City was not invited to become a member, but it is very doubtful whether the Pope would have accepted had he been asked. The United Nations is charged with settling disputes among nations and with the prevention of war by both positive and negative action through the regulation of armaments and the stimulation of international cooperation. In the United Nations the source of power is the consent of sovereign states. Power flows from the states, through national representatives, to the Assembly, the Court, and the three great Councils. A diagram of the United Nations would look like an inverted pyramid, exactly the reverse of one of the Catholic Church, where jurisdiction flows from the top to the base, both in the dioceses and in the Universal Church.

Many of the aims of the United Nations coincide with or run

parallel to the social aims of the Church for humanity as a whole. Among them are the prevention of war, the regulation, reduction, and end of armaments, provision for world-wide security against aggression, the achievement of justice among nations, the development of fair labor standards, the rehabilitation of devastated areas, the improvement of the conditions of dependent peoples and of women, children, and refugees, and the health and welfare particularly of the impoverished people of the world. It is therefore fitting and necessary that Catholic groups act as consultants in the conferences of United Nations bodies. Most of the power so far delegated to the United Nations is not discretionary but administrative, although if it were actually permitted to exercise political power, it could grow into a world state. If it ever became such a world-wide community, the Catholic Church would in comparison, resemble a large world party with a very small territorial base. At present, however, the United Nations is not a community, and the Catholic Church is one.

How does the Catholic Church compare with the Communist Party? This question is asked here because many other people are asking it today, and some of them are trying to draw parallels between the two bodies. Modern students of philosophy who are looking for a more adequate definition of liberty see the obvious historical conflicts of doctrine and ideology between the Catholic Church and the Communist Party. All too frequently they look on both as parties struggling for the political control of the world. Such people often regard both the Church and the Party as totalitarian and therefore as menaces to freedom. Such an analysis completely disregards the doctrines of the two bodies concerning the nature of mankind and the role of government, and sees only the superficial similarity of forms and procedures. In the organization of the two bodies there are, accidentally or by design, strong parallels. The Communist Party, like the Catholic Church, has a pyramidal structure that is based on multitudes of small cells, much smaller than parishes, crowned by the Central Executive Committee of the Communist Party of the Soviet Union. It has nothing that corresponds to a bishop, but within limits and at intervals, its national party branches, even its urban units, have an

autonomy that is similar to that of a bishop. Its Cominform and the predecessor thereof, the Comintern, have the consultative functions of an oecumenical council or of a consistory, but not the elective functions of a conclave. Stalin, the Secretary of the Party, is elected by the Central Executive Committee, which he is largely instrumental in appointing. This method of selection superficially resembles that of selecting Pope and cardinals, except that the officers of the Church usually hold office for life, which cannot be said of members of the Central Executive Committee, some of whom have found that holding office leads to degradation, banishment, and even death. The Party line, determined by the Central Executive Committee, has nothing of the permanence of a dogma defined by the Pope or Holy Office. The Party line can one day be diametrically opposite to what it was the day before. Party workers are internationally trained in Moscow as Catholic seminarians are at Rome, but not in similar things. Communist children get early indoctrination and training, but not in the catechism or the Ten Commandments; they have no sacraments, no higher loyalty than to their Party, and no concept of sin. Their end, to them, justifies their means. If Communists were to achieve their aims, there might be a world-wide totalitarian state, dominated by their large territorial base, the U. S. S. R. National trends within the Party indicate that a federal union or confederation of Communist states might prevail, rather than Russian control. Communists reserve the right to liquidate all opponents, or otherwise prosecute or persecute them as treasonable partisans.

This the Church could not do. Although it claims authority over the souls of all men, and also over the keys of Heaven, it does not exclude non-members *ipso facto* from the Beatific Vision. It is not partisan but universal, a shepherd of men. Its highest officers, although subject, as citizens, to man-made law are, as officers, subject also to the eternal and unchanging laws of justice, truth, and charity found in the Mosaic Code and in the Sermon on the Mount. Its members also know the source and nature of the authority of the Church; the knowledge is not confined to officers. Moreover, the officers, in their personal lives, share with their lowliest subjects in the necessity of submitting their sins to the

judgment of another in the Sacrament of Penance. "As a *fidelis* the cleric himself is as fully dependent on clerics 'for the faith of Christ and the sacraments of the faith' as is the *fidelis* who is a layman."¹⁷

At the bottom of the administrative structure of the Church, whether viewed in each diocese or in its worldwide character, are its unordained or lay members; but these are not passive pawns. As we have seen, they are the reservoir of the faith; they raise the children who become priests and rise into the hierarchy. They act as aides to the priest in parish work; they may serve as consultants to bishops, cardinals, and even to Popes. More and more Popes and bishops are calling them into the teaching work of the Church, in lay associations, and even as lay missionaries. "The layman *as such* has his *ius* in that particular ecclesiastical activity—the realization of the divine prayer 'Thy Kingdom come on Earth'—which is the very *raison d'être* of the Church of Christ; the layman, too, is an ecclesiastical person. And the radix of his rights and duties as such, to the exercise of which the popes invite and urge him, is a character given him by sacraments—by the sacraments of Baptism and Confirmation.

"The laymen who thus rise to the fullness of their vocation have a real place in the hierarchy's business of 'apostolizing'; they are an organism of the Church, and not a mere organization within it. . . . As in the thirteenth century the popes did a revolutionary thing by calling in an order of priests for the express purpose of sharing duties until then regarded as specifically episcopal, viz. the preaching of doctrine, so now in the twentieth century the popes invite the layman to take his place—his own place, that none but a layman can fill—in the general task of evangelization.

"There is surely nothing more remarkable in contemporary Catholicism than this development. For few things will the Church ever be more indebted to the popes of our own time. There is no more evident sign that the Holy Spirit is guiding the Church through the popes. . . . Already, wherever the popes have evoked such a response, a new spirit is evident at work, and especially

¹⁷Hughes, *op. cit.*, 83.

a new spirit of active general charity that often touches the heroic ; and the lines of a new kind of world are faintly discernible. . . . The aim of Catholic Action is not the production of a layman who will be a kind of clergyman : the role destined for the layman of the new age is one that he can only fulfil in the measure that he is wholly a layman. . . . The layman will not strive to achieve the impossible task of producing out of that world, a new, clergy-dominated universe, but representing in that world the primacy of the spiritual, and ultimately ensuring it, he will link that world as a means to ends that are supernatural, and will thereby fulfil, as none but the layman can fulfil it in the realm of nature, that reconciliation to which Our Lord's words surely point, 'Thy Kingdom come, on Earth as it is in Heaven'."¹⁸

¹⁸*Ibid.*, 85-88.

THE ARCHDIOCESE OF NEW YORK A CENTURY AGO*

A MEMOIR OF ARCHBISHOP HUGHES, 1838-1858

EDITED BY HENRY J. BROWNE

VERY few of the years of the active life of John Hughes were spent free from controversy and that usually of a public nature. The County Tyrone lad of twenty who arrived in the United States in 1817 became first a common laborer and then a student for the priesthood at Mount Saint Mary's Seminary at Emmitsburg, Md. Even as a young priest in Philadelphia, between 1827 and 1838, he twice debated the learned Protestant divine, John Breckinridge. Likewise in New York as a coadjutor bishop and after 1842 as bishop, Hughes took on the forces of trusteeism from within and of nativism from without the Catholic Church with equal surety. One by-product of his militancy is the present historical record of New York's early Catholicism.

In December, 1856, there first appeared a work from Hughes' pen entitled, "Reflections and Suggestions in regard to what is called the Catholic Press in the United States." In it he traced the rise of Catholic publications and noted recent divergencies among their representatives. One, he said, was the emphasis on the need of a continued Irish strain in the United States for the success of the Catholic religion and the other was the insistence on the need of Americanizing the Church to win the American people to it. In this rather wordy article he attacked on these points respectively, Thomas D'Arcy McGee, the Irish political refugee editor, and Orestes Brownson, the great convert journalist and controversialist of the mid-century, nor did he fail to add a passing allusion to James McMaster, editor of the New York *Freeman's Journal*, as not having been "faultless." His final advice was that they should refrain from impinging on regular ecclesiastical authority, avoid blending the political and religious and be careful not to show discord in the ranks of Catholics.¹

*Dr. Browne is head of the Department of Archives and Manuscripts in The Catholic University of America, Washington, D.C.

¹Lawrence Kehoe (Ed.), *Complete Works of the Most Rev. John Hughes, D.D.*, II (New York, 1866), 686-701.

A letter which remains still very mysterious as to its origin and signed only "Equitas", appeared in the New York *Daily Times* of January 9, 1857. This amounted to a highly personal attack on the archbishop's article on the Catholic press. It is alluded to enough in the following document to warrant its publication as an appendix to it.² Hughes only joined battle, however, after an editorial, captioned "Rome and New York," appeared in the same paper on July 18, 1857. His days in New York were numbered, it maintained, not only because of his maladministration but especially because he had neglected to celebrate the definition of the Immaculate Conception with fitting solemnities and also because he had "fled to Cuba" in 1853 when the visiting nuncio, Archbishop Gaetano Bedini was being hooted and even stoned by American mobs. The archbishop's thorough and able refutation addressed to the New York *Tribune* was dated July 20, but the columns of the *Times* saw the end of the affair only with August 20, 1857.³ Much of the argumentation concerned the authorship of the two offensive items and the unsuccessful attempt of Editor Henry J. Raymond to contact the prelate by messenger after being informed the "Equitas" letter was a forgery.

Conscious of the repercussions such a spectacular and open attack on his administration might have in Rome, the archbishop prepared what one of his popular biographers has called an "*apologia pro vita sua*."⁴ This elaborate letter was addressed to the Reverend Bernard Smith, O.S.B., an Irish professor of theology at the Urban College of the Propaganda and later Pro-Rector of the American College in Rome from its opening in December, 1859, until March, 1860, when William McCloskey arrived to take charge. Father Smith served during this period also as Archbishop Hughes' agent in Roman circles and he is frequently referred to in Hassard's biography simply as "a friend in Rome." The officials, however, for whose consideration this report was intended were particularly the Cardinal Prefect of the Congre-

²Cf. pp. 187-190, *infra*.

³Kehoe, *op. cit.*, II, 503-513.

⁴Henry A. Brann, *Most Reverend John Hughes, First Archbishop of New York* (New York, 1892), 131-132.

gation of the Propaganda, Alessandro Barnabò (1856-1874) and the Archbishop-Secretary, Gaetano Bedini (1856-1861). The latter had come into close contact with the Archbishop of New York as a result of his unhappy visit to the United States in 1853 which ended with his slipping out of New York City by night on January 28, 1854 to avoid the danger of further nativist fury. This happened in the absence of Hughes who later assured him that if he had been home they would have ridden to the dock in an open carriage. A mantel clock presented by Bedini and still in service in the archiepiscopal residence of New York gives evidence of how much he appreciated Archbishop Hughes.

The 1858 report to Propaganda, given here in full for the first time, was known by Hassard in the archbishop's own rough copy, partially preserved in the New York Archdiocesan Archives. A few paragraphs from it appear in his biography.⁵ The finished version which Bernard Smith handed over to the congregation made a very happy impression on its officials. Cardinal Barnabò admired his "penetrating grasp of mind, in judging not only the past, but also the future of the American Church."⁶ This must have been a great encouragement to Hughes who, a brief time before, had offered to resign his see, although the cardinal would hear nothing of it.⁷ Shortly after sending the report, the archbishop instructed his friend in the Eternal City for his personal use in clarifying matters for the Roman prelates:

First, the topics alluded to in the briefest possible terms—these are the mere skeleton of events and circumstances, which taken with their consequences would spread out into a work of large size.

Second, it cannot fail to strike the cardinals that I have not adopted in my writings for the defense of the Church, that meek and apostolic style which is so beautiful and for which Rome itself is so especially distinguished. This may be accounted for, by the fact that the style best suited to accomplish the lawful purposes which I attempted to realize was

⁵*Life of the Most Reverend John Hughes, D.D.*, (New York, 1866), 384-391.

⁶*Ibid.*, 391, Smith to Hughes, n.p., n.d.

⁷New York Archdiocesan Archives, Smith to Hughes, Rome, March 4, 1858.

that which I have employed. The people of this country and especially those among whom I have lived have great respect for a manly straight-forward and out-spoken vindication of any rights, whether civil or ecclesiastical which men deem worthy of being defended. . . .⁸

Archbishop Hughes' Benedictine friend continued to assure him of the high regard in which he was held by the Congregation. He told him not only that the translation was prepared by the "best Italian pen in Rome," but of the item itself he said, "no document ever came from America that will serve the Sacred Congregation as much as this."⁹ He described his own procedure and his appreciation as follows:

When it was finished I gave it to the Cardinal with your instructions, and with all the explanations I thought fit to accompany it. If it were printed for the use of the Congregation it would be most useful; but the fortunate historian of the American Church will derive more information from this report than from all the works published for the last fifty years on religion in the United States.¹⁰

The report, or memoir, as Hughes himself called it, is given here with the original peculiarities of style, punctuation and spelling and, it is hoped, with enough editorial comment to clarify some allusions which might not otherwise be immediately understood.

H. J. B.

⁸NYAA, Hughes to Smith, New York, March 26, 1858, copy.

⁹NYAA, Smith to Hughes, Rome, May 1, 1858.

¹⁰NYAA, *id.* to *id.*, May 22, 1858.

INTRODUCTION

The following pages are intended to convey to the Sacred College and especially to his Eminence, the Cardinal Prefect, a general idea of the obstacles, circumstances, hinderances, and successes of the Catholic Religion in the Diocese of New York during the last twenty years. This is the more necessary in as much as the Bishop has had scarcely time or opportunity to make the triennial reports that are prescribed. It is hoped that this communication may be accepted by his Eminence, the Cardinal Prefect, and the Sacred College of Propaganda, as the best attempt that can now be made to supply the apparent neglect of by-gone years, in reference to the subject.

It is written in a plain and simple style, more as if it were to be communicated in conversation than as a studied document. But it is deserving of reliance on the veracity of its statements: and it is forwarded not only that it may be translated into Italian for the perusal of their Eminences, if the grave concerns of the Universal Church, which in great part pass under their review, should leave them leisure enough to take cognizance of its contents; but also that it may be deposited with their permission in the original language in which it is written, as a *memoir*, among the Archives of the Sacred College.¹

It may be a comfort to some future Archbishop of New York, in Fifty or One hundred years from this time, to lay his hands upon and peruse what will then be a quasi original document, having reference to the primitive government, or rather creation and government combined, of what I trust will be, at such a remote period, one of the most flourishing Metropolitan Sees of the Catholic Church.

The Author

New York, March 23rd 1858.

¹Archives of the Congregation of the Propaganda Fide, Scritture riferite nei congressi, America Centrale, volume 18, pp. 488-531. In the year 1858 among the principal concerns of the Church in Europe was the threat to the Papal States resulting from the resolution of Emperor Napoleon III and Cavour to join forces for the expulsion of the Austrians from the Italian peninsula.

ARCHIEPISCOPAL REMINISCENCES OF THE DIOCESE OF NEW YORK FOR THE LAST TWENTY YEARS

Rev. and Dear Father Smith:

I shall begin this document by describing, briefly, the condition of the Diocese of New York at the period of my consecration which took place on the 7th of January 1838, now Twenty years ago.² The Diocese at that period, and for nine years afterwards, comprised not only the present Diocese of New York, but also that of Albany, Buffalo, Newark, and Brooklyn—an extent of territory larger than all England.

There were then about Forty six churches and as many priests, for the Catholics scattered over this immense surface. There were no really Catholic Schools in existence, except two, kept by Sisters of Charity who had charge of Orphan children at the Cathedral, and St. Peters. One or two other churches had schools under a hired male teacher for the instruction of poor boys. There were no religious communities in the Diocese—the Sisters of Charity having been obtained from Emmitsburgh as missionaries, and liable to be recalled at any moment. There was no provision for the Catholic education of youth or the training of Ecclesiastics to meet the increasing wants of the people. The churches were too few, and these in debt to an amount greater than they would have brought at public auction.³ The people were too poor, and for a long time the increase of their numbers only added to the poverty, as the emigrants arrived in our port from Europe penniless and destitute.⁴

²On January 2, 1838, the bishop-elect had moved from his pastorate at St. John's Church, Philadelphia, into his apartment in the episcopal residence at 263 Mulberry Street, at the back of Old St. Patrick's Cathedral where he was consecrated coadjutor Bishop of New York and titular Bishop of Basileopolis on January 7 by Bishop John Dubois, assisted by Bishops Francis Patrick Kenrick of Philadelphia and Benedict J. Fenwick of Boston.

³The *Metropolitan Catholic Almanac* for 1838 (p. 87) gives the total number of churches as thirty-eight and stations occasionally visited as twelve, with fifty priests on the missions and eight institutions under the Sisters of Charity. The sisters had five asylums and their schools included a "Free School" at St. Peter's and "Select Schools" at St. Mary's on Grand Street and another named St. Joseph's on Oliver Street.

⁴A recent scholar has commented: "The Catholic Church, however, was utterly unprepared to cope with the rising tide of Irish immigrants in the

I have thought proper to lay this brief statement before you, showing the condition of the Diocese when it came under my administration. This, as the more necessary, because in a document emanating, I am sorry to say, from a priest of my Diocese, published anonymously in one of our most bitter anti-Catholic journals, I am held up to odium and contempt for not having built more and better churches, and not having educated a more numerous, and a more learned clergy.⁵

In making the foregoing statement, as a starting point for guidance and comparison, I would not be understood as over-looking the progress which religion had made here, under the administration of my two Venerable Predecessors, Bishop Connolly and Bishop DuBois.⁶ When the first was appointed in 1816, [*sic*] there were but three priests in the Diocese. When the Second took possession of the See, in 1826, they had increased to the number of fifteen. At the period of my appointment, as I mentioned before, they were forty-six.

As I intend to impose upon you the trouble of translating this document into Italian, and offering it for a place among the

thirties and forties. New organizations were at last called into existence by the widespread misery of the Irish poor in New York before and during the famine years. . . . In spite of heroic efforts, the lack of funds and trained personnel limited the ability of the Catholics to alleviate the condition of immigrants of their faith. . . . The Catholic reaction to this unjust charge [of not caring for their needy] was a stubborn defense against the much-feared proselytism of Protestantism." Robert Ernst, *Immigrant Life in New York City, 1825-1863* (New York, 1949), 35-36.

⁵The archbishop seems to have assumed that this item, a New York *Times* editorial, "Rome and New York," July 18, 1857, came from the same pen as the letter of "Equitas" which had been published in the same paper on January 9, 1857. The second *Times* feature, printed in the absence of Henry J. Raymond, the editor, described the mind of Hughes' accusers thus: "Everywhere else they say the Church is an organization, with a policy, with a great framework of institutions, to be filled up as time shall afford the means. Here it is said by members of the Church, it is chaos without form and void." The controversy with Raymond over the identity of "Equitas" came to a close only with the issue of August 20, 1857. The *Times'* editor maintained he was led to publish the first letter only because it carried the signature of the Reverend John McElroy of Boston but this had proved a forgery. Even Hughes' extant private papers give no sure identity to the correspondent.

⁶New York's first bishop, Richard Luke Concanen, O.P., (1808-1810) never arrived at his see due to the Napoleonic war. John Connolly, O.P. ruled from 1814 to 1825 and John Dubois from 1826 to 1842. John Talbot Smith, *The Catholic Church in New York*, I (New York, 1905), 38-139.

Archives of the Sacred College of Propaganda, I shall endeavor to classify the subjects to be treated of, in such a manner, as will be most intelligible, and as much in the order of time in which they occurred successively, as will be in my power.

In looking back over this long period of a most arduous and incessant struggle for the Church, and against its enemies, whether from without or within, the topics occur to my mind in the following order.

First—The mixed or divided government of the Church between the authority of the Bishop, acting under the Holy See, and that of Lay Trustees, acting under the authority of the State, and controlling all the revenues of the Several Congregations.

Second—The education of Catholic Children, under a system of protestant, or rather infidel training established by law, and having for its main object to seduce those children from the Catholic faith—there being no means provided for their education under the sanction of their parents and of their religion.

Third—The insufficient number of churches, their indebtedness, and the inability as it seemed, of the Catholic Community to build more.

Fourth—The absence of any provision for the training of Ecclesiastics.

Fifth—The evils entailed on this Diocese, and especially on this City, as remote consequences of the Irish famine in Eighteen hundred and forty seven and eight.

Sixth—The ruinous rebound of the Revolutions in Europe immediately after the famine, which threw into this City, numerous refugees from several nations, who, through calling themselves Catholics, left nothing undone to overthrow all respect for religion here, and to inoculate the Catholics of my Diocese, with the *virus* of their own bad principles.

Seventh and lastly—The prevalence of a faction calling itself "*Know-nothing*", and in spite of all precautions striking its in-

fluence indiscriminately among Catholics and Protestants, according to the country of each ones nativity.

First. Then, let us begin with the government of the Church. Two things were necessary to constitute a pastor, and to have him recognized as duly appointed over a congregation. The appointment of the Bishop was the first essential, this was called the *spiritual department*, but the *temporal department* belonged to the Trustees. They claimed and exercised the right to determine whether they should accept the priest appointed or not; admitting the right of the Ordinary to appoint, they claimed the right to give him, or withhold from him, the means for his support, a salary they called it. If he was a man of eminent talents as a preacher, one who could draw a crowd to the church, one whom the protestants would condescend to hear with pleasure, then he was received and his salary made ample. But on the other hand, if he had all the qualities essential for a good and efficient priest, wanting only what they called eloquence, they respected, if you will, the authority of the Bishop in appointing him, for they were Catholics;—but oftentimes refused him the means of support because they were trustees.⁷

You will be perhaps surprised that this distinction should have been recognized and, through necessity, submitted to, by both of my Predecessors—so that the laity had already become accustomed to regard this whole distinction and division of Church authority so to speak, as a matter of course.

I saw from the first moment of my entrance, in the Episcopal office that religion could never take its proper and legitimate form and direction until this system of Lay Trustees should be modified or overthrown. Under it, the slender revenues of the churches

⁷Trusteeism, although not theoretically an evil system of managing the temporalities of the Church, had resulted in great scandals during the decades of the late eighteenth and early nineteenth centuries in such American centers of Catholicism as Baltimore, Norfolk, Charleston, and in Philadelphia where Hughes had served as a priest since January, 1827 (three months after his ordination) and had witnessed it at its worst. Cf. Hugh J. Nolan, *The Most Reverend Francis Patrick Kenrick, Third Bishop of Philadelphia, 1830-1851* (Washington, 1948), 61-101, the chapter entitled, "The Philadelphia Church in Turmoil."

were squandered and dissipated, the congregations were mutually alienated from each other, through the rivalships of their several boards of Trustees—in the same congregation the people were divided, and if there were two priests in one church, each, almost by necessity, was found at the head of a faction. The government of the Diocese by the Bishop was not unfrequently thwarted in private, and openly resisted. As these Trustees, under the civil law, were to be elected annually, the canvassing for votes, and the election itself, presented very frequently scenes of scandal, strife, and violence, even to bloodshed, such as could hardly be surpassed in the unscrupulous political struggles of the wildest democracy; oftentimes on the day of election, these contending factions had as their watch word, the "Bishop's party" on one side, and the "Trustee party" on the other.

This is not an overcolored picture of the whole working of the Trustee system in this Country, at the period to which I refer. Here it was a collateral branch of politics and the Trustees, as a general rule, were distinguished as open and notorious politicians, using their influence as Trustees to command votes among the Catholics in favor of their own special Candidate.

The following incident will give you a practical example of what I have just said; as it became the turning point of discipline on the subject of Trusteeism, in the Diocese. The Bishop had suspended a certain priest of the Cathedral.⁸ He was a favorite of the Trustees, who continued his salary after his suspension, on the plea that if he did not earn it, the fault was the Bishop's and not his own. On the other hand, they refused to make any provision for the support of the clergyman whom the Bishop appointed in his place. So far did they carry their pretensions, that they sent a police officer to expel from the Sunday School, a teacher whom the Bishop had appointed for the discharge of that charitable duty. The Venerable prelate placed this whole matter in my hands; and when I called upon the Trustees as Catholics to retrace

⁸The priest in question was Thomas Levins; he was suspended for a second time in 1834. During his leisure he used his talents in writing and as an engineer on the Croton aqueduct. He was restored by Hughes in 1842. Mother Mary Peter Carthy, O.S.U., *Old St. Patrick's* (New York, 1947), 64-68.

their steps, under a threat which I was determined to carry out, viz, of interdicting the Cathedral and laying the foundation of a new one within four weeks, they turned a deaf ear to my remonstrance and advice. They relied on their *constituents* as they called them, for support. From that time I made war on the whole system. I wrote upon it, gave a series of lectures which lasted for six months, on the scandals it had produced, and the evils it had entailed on the Catholic religion throughout the United States. The lay Catholics came to my view of the question in a very short time, and required the Trustees to act under my direction, and not dare oppose the *civil authority* with which they were invested by the State, to the *Ecclesiastical Authority* of which the Bishop was at once the recognized interpreter and administrator.

In the lectures and writings I spared individuals, but denounced the evils of the system, and made them so palpable, that even the Trustees of the other churches, were in the habit of coming to hear my remarks, and gradually came to the same conclusion with the upright and well-meaning body of the people. Hence, from that period, the trustees of the churches in this city, and in the Diocese, became docile and respectful towards the Episcopal authority, and though in many instances whilst their personal consequences and official importance were reduced to almost nothing, and whilst it would be impossible to treat such a question as I treated it, without wounding the pride, and shocking the feelings of many, still, the whole system was overthrown, within a period of two or three years, without any open resistance on the part of priests, trustees, or people. I use the word priests here, because the evil had so far infected the clergy themselves, that some of them regarded the authority of Trustees, as a providential shield to protect them from what they called Episcopal tyranny.⁹

It was not simply to meet the insolence which I have just

⁹This concentrated attack by Hughes did not completely kill the trustee system for it continued to cause trouble in the German Church of St. Louis in Buffalo even after a separate see was set up in that area in 1847. In 1855 the situation was aggravated again with the passage by the legislature at Albany—at the instigation of the Buffalo trustees—of a church property bill which, however, remained a dead letter until its repeal in 1862. *Laws of New York, 1862*, chapter 147. Cf. note 14.

described on the part of the Trustees, but also in compliance with the statutes of the Provincial councils in Baltimore, and with the expressed wish and desire of the Holy See, that I put down this system with a strong will and determined action.¹⁰ But the consequences of it in my Diocese at least, and I think in others also, have been to multiply the labors, and cares, and responsibilities of the Bishops beyond any thing that could be understood in Europe, or that could be foreseen and provided for by the Council of Trent. It created a necessity elsewhere unknown to the Episcopal office. The Bishop of each Diocese was, thenceforth, to have the deeds of all new ecclesiastical property made out in his own name, as if he were owner in fee simple. This new burthen of care and responsibility has been comparatively light in those few dioceses in which religion has remained more or less stationary, since the period when these laws of the Councils began to be put in force. But you will easily perceive, (what resulted from the fact) that as the Bishop was to be the owner of the ground on which the church was built, he had necessarily to take his rank, *nolens volens*, among men devoted to secular business. He was a proprietor (albeit) of ecclesiastical property which in its material relations has to be managed as if it were purely secular, so it was necessary that the Bishop should be a lawyer, and merchant, a contractor, a money-payer, a borrower, in short, that either by himself or through the agency of some clergyman whom he might appoint to superintend the work, he alone should bear the burthen throughout his whole Diocese. Sometimes the clergyman had capacity and aptitude to carry out on the spot the Bishop's instructions; in other cases this aptitude would be wanting. But in all cases, the Bishop was finally responsible for all the detailed operations of such undertakings. The means whereby the ground was to be paid for, the churches, presbyteries, school houses, etc., were to be erected, could be derived only from the zeal and charity of the laity. Within these twenty years I have had to provide for the erection of no less than ninety seven churches, and, that they have been

¹⁰*Concilia provincialia Baltimori habita ab anno 1829 usque ad annum 1849* (Baltimore, 1851), 75, the sixth decree of the First Provincial Council, 1829.

completed, and dedicated to religion (although more or less in debt,) is a proof of the confidence which the faithful have had as to a right administration of their contributions for the Propagation of the faith. I may mention, also, that though personally responsible for all contracts connected with the churches, involving the purchase of grounds, the payment of the various mechanics employed in their structure, etc., no one has ever sued me before the civil tribunal for a failure or violation of contract; nor have I ever had occasion myself, to enter a civil suit against any one. It is proper to mention that many of these churches had been erected before the division of this Diocese, in those portions of it, which are now comprized in the Diocese of Buffalo, Albany, Newark, and Brooklyn.¹¹ As soon as the new Bishops took possession of their sees, I conveyed to them the original title deeds of all such churches.

The danger of a Bishop's dieing [*sic*] intestate and of this property passing to *his heirs, at law*, became obvious from a very early period. It was provided against by the Councils of Baltimore, and the Holy See. It was required that each Bishop should retain an authentic copy of his Will, and place another in the Archives of the Metropolitan, whereby he bequeathed unconditionally to his co-adjutor, (if he had one), or if not, to two neighboring Bishops the whole of the church property. These two were to re-convey it to the deceased prelate's successor, as soon as one should be appointed by the Sovereign Pontiff.¹²

This new system, though attended with incalculable toil, and anxiety to the Bishop, still, produced the happiest results in favor of the progress of the religion [*sic*]. I can speak especially of my own Diocese, the divisions and jealousies, and rivalships, not to speak of strifes or factions, to which I have already alluded, as so universally prevailing under the Trustee system, gradually disappeared from the moment when their power was broken: —and I thank Almighty God for this one consolation in my review of

¹¹Buffalo and Albany were created on April 23, 1847, and Brooklyn and Newark on July 29, 1853.

¹² *Concilia provincialia Baltimori . . .*, 198-203, "Decretum S. Congregationis de propaganda fide circa ecclesiastica bona tuto servanda," December 15, 1840.

the past, that I do not think there is a diocese in Christendom in which greater union, mutual charity, mutual co-operation in every good work, in short, a more universal *esprit du corps* have prevailed than in the Diocese of New York; and this extends alike both to clergy and laity. In all cases of misunderstanding and dispute, all parties have been willing to submit the controversy to me; and on its decision, all parties have either acquiesced or submitted. They all had this idea, that my decision would be just and fair, and impartial, nor, have I known a single appeal from it. This you will understand has reference to disputes resulting directly, or indirectly from ecclesiastical topics. Without this union it would have been impossible to have accomplished one half of what has been done. In every undertaking, when it was known that it had the Bishop's sanction, opposition immediately ceased, and those who in their private judgment might have thought the undertaking inexpedient, or unnecessary, still, seeing that it was to be commenced, instead of standing aloof, turned in with their brethern, and gave it a helping hand.

It was owing to this, (and I mention it with deep consolation and gratitude as a testimony of the good, and truly Catholic feeling of the clergy and laity of this Diocese,) that no enterprise for the good of religion recommended or commenced by me, has fallen through or failed at any time. It is owing to this also, that in critical times, such as we have passed through, since the outbreak of the last Revolutions in Europe, a single word from their Bishop was sufficient to guide the sentiments and conduct of the Catholics of New York, in reference to the trying appeals in favor of "liberty" that were addressed to them by foreign traitors and refugees, as well as by domestic demagogues, who, in professing to advocate liberty, aimed principally at the destruction of the Catholic Church. Local questions of an equally dangerous character, such as "*Slavery*," were submitted to their arbitration, as an influential portion of the American people. On this, also, they understood the desire of the Bishop that they should not interfere. They have been in times of excitement provoked and insulted beyond measure, and under the same religious influence have con-

ducted themselves with so much patience and forbearance, that even their enemies have awarded them much praise.¹³

The "Know-nothing faction," however, saw an invincible obstacle to their own success, so long as the Catholics should remain thus united; and they hit upon the expedient which they thought most likely to engender division. In the winter of 1854 and 5, some of the nominal Catholics of St. Louis Church, Buffalo, presented a petition to the Legislature, having for object, the enactment of a law, which should deprive the Bishops, of this State, of the right of holding ecclesiastical property, in their own name. Lay Trustees were to be revived, in order as they pretended to secure the rights of the laity, and to curtail the power and influence of the Bishops and priests. The Church of St. Louis was at that time under interdict. The Catholics of the State remained silent, not approving, but not dreaming that the Legislature would pass the act, which the schismatics petitioned for. On my return in March Fifty-five, the law had passed both houses of the Legislature, then composed of "Know-nothings." I wrote and published on the very day of my arrival from Europe, a strong letter of remonstrance against the injustice of this law. But it was too late; for the Governor had not strength of mind or courage enough to veto it, at so late a period. He signed his name to it, and it is now the law of the State of New York. Its provisions are of the most malicious character. I will mention only one which gives to the lay members of every Catholic Congregation in the State, the right to assemble, elect trustees, and reject the authority of the Bishop, except in so far as they think proper to admit it. It is significant that not a single effort has been made by the faithful, to take advantage of this law, so pregnant with mischief and evil. The law renders void any Will of the Bishop made, or to be made, according to the Statutes of the Provincial Councils of Baltimore.¹⁴

¹³In 1842 the bishop objected to an abolitionist petition circulated in an effort to influence his own people by Daniel O'Connell, Father Theobald Mathew, and other anti-slavery men in Ireland. John R. G. Hassard, *Life of the Most Reverend John Hughes* (New York, 1866), 434-435. Foremost among the visiting revolutionaries was the Hungarian, Louis Kossuth, who arrived in December, 1851. Cf. notes 46 and 47.

¹⁴*Laws of New York, 1855*, chapter 230. The governor was Myron Holley Clark, prohibitionist and anti-slavery candidate elected in 1854 by the party

Under these circumstances, in consultation with the suffragan Bishops, we have deemed it prudent to go on in the management of our ecclesiastical affairs, as if no such law were in existence; nor has a single effort been made, even by the Civil authorities to disturb us in the peaceful discharge of our Episcopal administration, as regards the temporalities of our respective Sees. However, by way of precaution, we have changed the transmission of the property from *bequest by will*, which the law rendered null, into *Deeds*, passed according to legitimate form, *inter vivos*, so that each Bishop in the State of New York, has conveyed by Deed all church property of which he is owner, to all the other Bishops mutually. These legal instruments, are not on record, but are to be placed on record, immediately on the death of any one of us. Neither is this transaction known, except among ourselves. It is intended merely *ad cautelam*, in the contingency that the will might be disputed.

I will conclude this first section of my subject by referring to other Institutions apart from Parish Churches, in which the cordial unity, and liberal charity of an undivided Diocese, are very conspicuous. I have already mentioned, that at the commencement of the period which I am now passing in review, the Diocese of New York was a *tabula rasa* as regards either religious, or literary Institutions. One of my first efforts was, to establish a College in which the wealthier parents might be enabled to have their sons educated under Catholic influence and Catholic training. This effort succeeded. I had not, when I purchased the site of this college, St. Johns Fordham, so much as a penny wherewith to commence the payment for it. I collected through the Diocese—I collected through a great part of Europe—I borrowed for deficiencies. The college was established in 1841 with six pupils.

calling itself, for the first time, Republican. The opening letter in the controversy written by Hughes to the New York *Freeman's Journal*, March 28, 1855, was published in Lawrence Kehoe (Ed.) *Complete Works of the Most Rev. John Hughes, D.D.*, II (New York, 1866), 573-583. A greater battle was stimulated by state senator, Erastus Brooks, who charged that the archbishop personally held five million dollars worth of property in the city alone. The result was the volume of 198 pages entitled, *Brooksiana; or the Controversy between Senator Brooks and Archbishop Hughes* (New York, 1855).

It became popular from the commencement, increased in patronage and public favor, until, in the year 1845, the Legislature deemed it worthy to be ranked among the recognized Universities of the State, and endowed it with all their privileges. Up till this period, it was carried on by secular priests; but the wants of the mission were so great, and the missionaries so few, that I deemed it expedient to offer it to the Jesuit Fathers; and this I did with the more confidence, as they are supposed to be the best qualified for carrying on such an institution. They have continued it since 1846, but I regret to say, not with anything like the success which until then, it had achieved in public estimation. It had at that period, buildings and furniture for the accommodation of 150 students, with their professors.¹⁵

In consequence of its charter as a University, it has come in for its share of a public fund from the State appointed to be distributed among such establishments of Education, and I regret to say, that it has not advanced, but has rather retrograded ever since.¹⁶ The number at present hardly exceeds One Hundred, and the Institution has unfortunately become comparatively obscure.

On a portion of the same ground in 1844 I laid the foundation of an Ecclesiastical Seminary, and of a church thereto attached, which I have still retained in my own hands, as a portion of the Diocesan property. The Seminary was projected on a large scale, and is, for this country, a magnificent building of the kind. It has accommodations for Fifty seminarians; as it was projected for the wants of the whole Diocese;—a division of the same being at that time unforeseen and unthought of, except as a remote eventuality.¹⁷

¹⁵To raise the needed \$40,000 Hughes began a subscription drive in the diocese, issuing a pastoral on October 14, 1839; he left that same month to beg in Europe. St. John's College was first put in charge of John McCloskey who was later to be first Bishop of Albany and successor to Hughes in New York. Hassard, *op. cit.* 204-205, 252. Apart from "public estimation" the college increased its student body of 110 in 1846 to only 190 in 1857, with the Jesuits teaching collegiate subjects remaining still about a dozen in number. *The Catholic Almanac for 1846*, 164-165, and the *Metropolitan Catholic Almanac and Laity's Directory, 1857*, 192.

¹⁶St. John's College, Fordham, received \$3,000 for 1848 and \$2,500 for 1849. 62d and 63d *Annual Report of the Regents of the University of the State of New York* (Albany, 1849, 1850), 76; 98.

¹⁷Bishop Dubois in 1826 had first entered into a five year agreement

You are aware, that religion in this country has no pecuniary provision made by government, nor any hope of support except what results from the piety of the faithful, and their voluntary contributions. And I will here repeat what I have said before, that for the means whereby this complex and gigantic undertaking was carried out into successful operation, I am, under God indebted to that united feeling which grew up among the Catholics of the whole diocese under the direction of the Bishop, after the disappearance of the system of Lay Trustees.

As I am on the subject, I may as well enumerate the other religious or literary foundations that have sprung up in this Diocese within the period now under review. First. The "Community of Ladies of the Sacred Heart." I brought them here in 1841. They educate in the highest branches of Christian knowledge, the young ladies of wealthier families not only of New York, but of the country at large. Their establishment at Manhattanville, indicates nothing of poverty; as to the exterior, it is princely in its appearance. The Community, however, is most regular, humble, fervent, and devout. Their boarders are nearly Two Hundred. They have a school for day scholars in the City, which is still more numberously attended.

What I have just said of the "Ladies of the Sacred Heart", is equally true of the "Sisters of Charity", founded in 1846 at 106th Street in this city.¹⁸ These two institutions have infused a regen-

with Mount Saint Mary's, Emmitsburg, which he had founded, that it should be his diocesan seminary. He attempted a seminary named St. Joseph's at Nyack, New York, in 1834 but it burned down in 1837. A second institution, St. Vincent de Paul Seminary at Lafargeville in northern New York near the Thousand Islands, was conducted from 1838 to 1840. At Fordham the seminary work was begun in 1841 under the Reverend Felix Villanis of the Lazarists (Vincentians). Apparently it was due to the building project of 1844 that about twenty of the seminarians were required to go to school in an old building at Fiftieth Street and Fifth Avenue for six months. Charles G. Herbermann, "Early New York Seminaries," in Henry Gabriels, *Historical Sketch of St. Joseph's Provincial Seminary, Troy* (New York, 1905), 23-24. In 1846 the Jesuits took over the seminary at Fordham, but it passed back to the archbishop in 1856 and diocesan priests were in charge until its close in 1861, when negotiations were already under way to open a provincial seminary at Troy. Troy served from 1864 to 1896 when Dunwoodie took its place. Cf. Arthur J. Scanlan, *St. Joseph's Seminary, Dunwoodie, New York, 1896-1921* (New York, 1922).

¹⁸Hughes refers here to the Sisters of Charity as founded in 1846, although

erating spirit into the more respectable classes of Catholic young ladies;—elevated the tone of Catholicity in a social point of view, and exercised an almost miraculous influence on Protestant families with whom they have intercourse; so that many fathers and mothers inquire where they received their education, in order that they may send their daughters to the same school. These Institutions so prosperous and so popular, have never been a burthen on the Diocese. They have never received any thing in the way of Charity from the faithful.

The "Sisters of Mercy," were brought by me from Europe in 1846. They, too, are a model of all that is fervent and beautiful in the religious life of Virgins consecrated to God. They were very poor, and required constant aid from the charity of the people, which has not been refused. Their object, you know, is mainly to shield and protect destitute young females of good character, from the dangers to which they would be otherwise exposed in a corrupt and profligate city like New York. Their convent, about one hundred yards from the Cathedral, is an exceedingly spacious and suitable building. They give food and lodging to an average of one hundred and ten of these unprotected females, until they can place them out at service, in respectable families. The young women are not idle during their stay in the "House of Mercy" adjoining the Convent. The sisters receive large orders for washing and mending, and these poor girls are employed in that occupation during the time of their sojourn; which is an advantage to them, and a diminution of the burthen of their support. They are instructed, meantime, in their religion. The sisters also visit the prisons and the prisoners, by permission, and almost at the request of the public authorities. Their influence on the most hardened culprits, is said to be almost miraculous. They also visit the poor sick in the neighborhood, and instruct even adults

they had come to New York in 1817 from the Emmitsburg motherhouse. In 1846 after some strong correspondence the bishop established an independent community which conducted the Academy of Mt. St. Vincent at 107 Street between Fifth and Sixth Avenues. Cf. Joseph B. Code, "Bishop John Hughes and the Sisters of Charity," *Miscellanea Historica* (Louvain, 1949) and Smith, *op. cit.*, I, 193-200 for a summary history of the other religious women in the diocese at that time.

of their own sex, who attend in great numbers, every day. Allow me to remark, that all this is in the strictest accordance with the *original constitution and rules* of their Mother House, in Baggot Street Dublin.

Another community is that of the "Sisters of Notre Dame." They are German Ladies, and devote themselves with great fidelity to the Christian education of the German children of their own sex.¹⁹

Next, about three years since we received another community of German Ladies of the "Ursuline Order," who have a very beautiful and large convent, about 7 miles from the city on the way to St. Johns College. Their school is as yet, not numerous.

Finally, last year I received and established a community of the "Sisters of the Good Shepherd," who have already under their charge some twenty five or thirty penitent females. They are very poor, and I have done but little for them yet, wishing them to begin on a small scale, the more successfully to carry on their work of Mercy, as they shall have learnt the genius of the place, and won the confidence of the people.

I have gone through this enumeration very briefly, as connected with one department of the subject—not so much to show what has been done, as to signify that nothing of the kind could have been accomplished, if the Trustee System had continued, or if the clergy and laity of the Diocese had not been so devotedly, I had almost said, blindly, bound up with their Bishop, in whatever he undertook. You will easily understand, that details connected with the various topics herein briefly alluded to, would fill a volume. But I think that what I have said, will be sufficient under the first head of my subject.

¹⁹The School Sisters of Notre Dame were introduced into New York by the Redemptorists in 1854. "What the Sisters of Mercy have been to the Irish, the School Sisters have been to the Germans..." Smith, *op. cit.*, I, 199.

The archbishop might well have mentioned at this point the Brothers of the Christian Schools who had arrived in New York City in 1848 and had established the foundations of Manhattan College (1853) in the Academy of the Holy Infancy at 132 Street and Broadway and who were teaching in seven free schools. Cf. Brother Angelus Gabriel, F.S.C., *The Christian Brothers in the United States, 1848-1949* (New York, 1948); *Dunigan's American Catholic Almanac, 1858*, 41.

Second—In the foregoing remarks I have incidentally alluded to matters which properly come under the head of this section. Viz. The Condition of Catholic Education in the Diocese of New York, at the commencement of the period which I have proposed to review. Towards the close of 1839, after having purchased the site of St. Johns College, without having any means to pay for it, I proceeded to Europe, in the hope of obtaining aid for that purpose, in which hope I was not altogether disappointed.. On my return, I found my Diocese, and especially the City of New York in a ferment. The bone of contention was public education, but unfortunately for me, it had already lapsed into political considerations—and, as the Catholics were almost universally devoted to the party sustaining public common school education, as it then was, I had to enter the lists not only against that party, but to a great extent, in opposition to the Catholics themselves, who had not taken the pains to comprehend how the legalized system of education was insidiously undermining their every hope to preserve their own children in the faith of the church of God. They had been brought over to the idea that in a Republican State which repudiated every notion of an established church, in which the government ignored every special creed—in which the adult population lived, and was expected to live, in all the political, commercial, and social relations of life, harmoniously without any strife, or Sectarian zeal, as regarded any one creed—so, to prepare the *future* citizen for the proper discharge of his duties, it was deemed expedient that the children from earliest years, should be brought up in a blissful companionship, without allowing any one religion to find place among them in the public schools, as an apple of discord. Such was the theory of what was then called the public school society in this City—and Catholic parents, to a great extent, had fallen into the trap which had been thus cunningly laid for them.

Now the Public School Society, was a close corporation. It expended large funds of the State. It was composed of one hundred members—gentlemen of the first rank, of amplest fortunes, and most extensive influence. Its members were chiefly Presbyterians, at least to an extent which would leave it in their power, to

decide every question. They had aggregated a considerable number of Quakers, to their Board; then they did not disdain to take in a few Episcopalians, Methodists, Unitarians, and even two or three Catholics. Thus constituted, they proclaimed that "THEY WERE OF ALL RELIGIONS," that they had no Sectarian feeling—that Sectarianism was absolutely excluded from the schools &c.

On the other hand, the Catholics as an integral portion of the State, were taxed for the support of these schools, and they claimed the right to remonstrate against a system which applied their own money in part, to the destruction of their religious rights—hence, the contest, which lasted nearly two years.

It was necessary for me first to instruct the Catholics themselves on the whole bearing of this system of Education and accordingly, by public writing, and by lectures, I analyzed it, and presented it in every form which could awaken them to sense of its dangers. Gradually, with very few exceptions, they came around to my views. Nor was this result confined exclusively to the Catholics; very many upright and honorable protestants also came over to my opinions. The law required that we should appeal first, to the municipal corporation of the City. A petition expressing our grievances was drawn up by myself for that purpose, and signed by a few of our most respectable Catholics. The City Council appointed a day for the hearing of argument on both sides, and hence, a Debate took place which at the time produced a deep sensation both in New York, and throughout the Country. It lasted two days. On the side of the public School Society, there were two lawyers professionally employed to defend the existing system. Besides these there were volunteers from nearly every protestant denomination, in opposition to our claim. Of these there were four protestant ministers, and three medical Doctors. On the Catholic side, there were not a few able gentlemen willing to enter the lists. But as none of them had studied the question so deeply as myself, and as it was almost certain that their views would exhibit discrepancies on minor points, I wished to make the Argument so consistent with itself, in all its parts, that the adversary could not find a flaw or crevice through which he might point out either divided Councils on our part, or a crude representa-

tion of the subject. Hence, I deemed it expedient to monopolize all the speaking. It was my privilege to reply to the Arguments offered on the other side, and these were so numerous, that on each day my speech lasted four hours and a half. It was admitted, that I had the best of the Argument so far as truth and justice, and logic were concerned. But those who made this concession remarked also, that popular prejudice was so strong against my position, that if I had a giant's strength I should be still unable to stem the torrent. The City Council was composed of Twenty five Aldremen, and of these there was but one who voted in my favor.

Now, however, having been refused by the City Council, we had a right to appeal to the justice of the Legislature. This we did, and in despite of all the influence which the Public School Society brought to bear upon the Legislative body, we obtained a law of partial redress; the best effect of which, was to break up that wicked monopoly which claimed to take charge of the minds and hearts of Catholic children. The popular feeling at our triumph could not restrain itself; and accordingly, on the night in which the news reached the City, a mob passed along, somewhat rapidly, before the Episcopal residence, and having hurled stones, and brick-bats into nearly every window of the House, (except the windows of my own room, the only ones they aimed at,) they passed on their way rejoicing.²⁰ From that period the political papers, out of personal ill-will in the first instance, began to denounce me as a "politician," as "meddling with the civil affairs of the State," as one on whose "will and feat" depended the success or defeat of any party, or any individual aspiring to public office. This, I have just remarked, was begun with a view to hold me up to popular odium; but it was repeated in such variety of form, and so perseveringly, that at length it came to be somewhat of a settled belief, in the public mind: and to this day, vast numbers are very sincere in the conviction that the first step

²⁰The bill of Assemblyman William B. Maclay taking control of the public schools out of private and sectarian hands was passed on April 9, 1842 and on election night three days later the bishop's house was stoned. Hassard, *op. cit.*, 250; *Laws of New York, 1842*, chapter 110.

towards success, which a candidate should take, is to have the approval of the Archbishop of New York. I have often disclaimed this imputed political influence; but the more I disclaimed it, the more the conviction to the contrary became strong and settled.²¹

I need hardly tell you that in all my life I have never meddled directly or indirectly with the political affairs of this country: and yet, even among public men, from the President down, there are very few who are not under the impression that a spoken word of mine, or even a hint, is sufficient to vibrate, especially among the Catholics, from one extremity of the United States to the other.²² I have long since ceased to trouble myself about this erroneous impression.

Immediately after the breaking up of the Public School Society, a new system was introduced, very different indeed, from what I would have recommended; but yet an immense improvement on the one which it replaced. I was obliged to tolerate the attendance of our poor children at these schools until we should, with time and the blessing of Almighty God, be enabled to erect schools of our own for their *exclusively* Catholic training. In this we have not been unsuccessful; although yet much remains to be done.

Towards the close of the last year, the celebrated Mr. Bennett, Editor of the New York Herald Newspaper,²³ took the pains to send one of his sub-editors, to make an investigation on the subject of Catholic Schools. His object was merely to publish an

²¹The charge of interfering in politics was based especially on Hughes' maneuver of endorsing a third ticket four days before the November elections of 1841 when both the Whigs and Locofocos had promised their votes in the state legislature to the Public School Society. The bishop had the backing and help of such Whig politicians as Governor William H. Seward, Thurlow Weed, and Horace Greeley in his fight. The chapter, "Bishop Hughes and the School Controversy, 1840-1842" in Edward M. Connors, *Church-State Relationships in Education in the State of New York* (Washington, 1951), 16-54, constitutes as definitive a coverage of this case as will probably ever be written.

²²The incumbent President, James Buchanan, was very friendly with Hughes and on one occasion had even offered him the hospitality of the White House which the archbishop refused. Buchanan had also consulted with him while he was President James K. Polk's Secretary of State on matters pertaining to the Mexican War.

²³The bishop had a notable tangle with James Gordon Bennett in the spring of 1844 when he charged the *Herald* with building up anti-Catholic feeling in the city.

Article of general interest for the benefit of his Newspaper. I confess that I could not, myself, have furnished such an article, either for want of time to examine into the accuracy of details, or because the work is still going on. I shall send you the Article as it was published by him, on the 22d of January. In the meantime I send you the conclusion of it, under the head of

“Recapitulation”

“The following table gives the number of teachers employed, and the pupils in the different Catholic Schools, throughout New York.

	Pupils	Teachers
In higher Schools for females	708	84
In colleges & higher schools for males	530	48
In free schools for females	6,100	84
In free schools for males	4,800	54
In orphan asylums &c	800	46
Total	12,938	316

This gives an average of 41 pupils to each teacher. The following table shows the amount of capital invested in school buildings, the land in which they are erected, school furniture, books &c.

The female high schools	\$ 780,000
High schools for males	250,000
Female free schools	228,000
Male free schools	228,000
Orphan asylums	462,000
Total	\$ 1,948,000

About one half of this is under mortgage, but the means at the disposal of the different institutions are considered amply sufficient to redeem the property within the appointed time.”

I may mention in connection with the foregoing that, the support of the clergy, the building of new churches, new schools, and the support of teachers, all comes necessarily from the free offerings of the Catholic people of the City. They maintain, in addition, nearly one thousand orphan children in two Asylums, one for males, and the other for females:—at an expense of nearly

Fifty thousand Dollars per annum.²⁴ In this brief relation I pass over every thing that is not in the nature of more simple events as they occurred. But speaking of the Orphans I cannot avoid mentioning one fact, which is understood as evidence of the effect produced even on the City authorities, by the debate in regard to the Public School Society. Three years after that event, and when the public mind had settled down into a quiet conviction that, on the whole school question, I was right and my opponents wrong, I directed some of our prominent Catholics to petition that same Common Council for a donation of ground for our poor orphans; and whether it was from good will, or to conciliate (what they thought a great matter) the Bishop's friendship, they granted the prayer of the petition, with only one single vote in the negative. Our male orphan Asylum is now built on that ground. Our enemies charge the Common Council with partiality towards the Catholics, and allege that the property given, is now worth a half a million of dollars. This is, of course, an exaggeration; but the time is not far distant when it will be worth half a million and more.²⁵

You must not suppose, that on the subject of education we have reached anything like a fair supply of School houses & teachers, to meet the wants of our Catholic children. But the work must be continued, and by the time it will be completed, I have very little doubt that there will be such a change in the law, as will result *in our obtaining a share of the public funds*, which are employed for State education of youth. And this I anticipate for the following reasons.

The charm of the original "Public School Society," and which made all their labors sweet and consolatory, was the prospect of

²⁴These institutions were both conducted by the Sisters of Charity and both were called St. Patrick's, the one for boys at Fifty-first Street and the other for girls at Prince Street. *Dunigan's American Catholic Almanac*, 1858, 42.

²⁵The deed of August 1, 1846, conveyed to the Roman Catholic Orphan Asylum the land between Fifth and Madison Avenues at Fifty-first and Fifty-second Streets for a dollar a year rental. George Paul Jacoby, *Catholic Child Care in Nineteenth Century New York* (Washington, 1941), 97-98. The old orphanage site on Madison Avenue housed Cathedral College from 1903 to 1942 and later the military ordinariate and some archdiocesan offices until 1948.

slipping in between the Catholic parents, and their children, so as to prevent the faith of the former from being transmitted to the latter, on the American soil. That charm has been broken, and has vanished. On the other hand, the system, even as it now is, becomes so burthensome to the tax-payers, that they begin to manifest their discontent and their disgust, in reference to the whole project. The taxes on this City for this public education alone, amount in the present year to more than one million and a quarter of dollars—and the object for which this great expenditure was freely incurred—viz—the *perversion* of Catholic children, is becoming less and less hopeful of attainment every day: nay their very efforts to accomplish that object have done to us an immensity of good. They have awakened the attention of even lukewarm parents to the importance of seeing that their children, with or without education, must not be seduced from their faith. The “pressure from without” has thrown the Catholics more upon themselves; and, what was much to be desired, the line of distinction between “Catholic Schools” and “Atheistical Schools,” (for they are nothing else,) is clearly drawn and well understood on both sides. I do not see any other remark to be made in reference to this second section of the subject of which I had proposed to treat.

Third.—I referred to the insufficient number of churches. This has ever been, and is now, an immense draw-back on the progress of religion, more perhaps in the City of New York, than throughout the Diocese. The churches are all in debt more or less. I have already anticipated much that would properly belong to this article; so that I can dispose of what has not already been said, in a brief manner.

Let me again return to the Commencement of the period now under consideration. There were, at that time, in the City six Catholic churches, besides the Cathedral all under the management of Trustees; and burthened with debt, which, in the aggregate amounted to more than Three hundred thousand dollars. Of these churches, four became bankrupt and passed into the hands of the sheriff; the Trustees having made an assignment, as other

bankrupts are in the habit of doing. These churches were St. Peters, (the first built in New York.) St. James, Transfiguration, and St. Paul, Harlem. I had to purchase them in my own name, to save them from being turned into protestant or profane uses. I have been enabled by time, and the aid of the Catholics, if not to pay the entire debt against them, at least to reduce it, so much that the income should meet the interest and leave something to spare. Besides redeeming the four churches just mentioned, we have constructed Eighteen new Parochial churches in the City and six large chapels attached to as many Religious Communities. What has added much to the burthen of erecting these churches, has been the necessity of providing a Presbytery in connection with each; for the residence of the clergy. In addition to these, we have within the last six or seven years, erected parochial schools of large dimensions, and attached them to a considerable number of these churches.

At the commencement of the period to which I have directed your attention, the few clergy who were in the City, were obliged either to Board out, or to rent from year to year dwellings, wherever they could find them. I need not describe to you the circumstances and evils resulting from the unsettled mode of clerical life. Even the Cathedral, owned no residence for the use of the Bishop, and his clergy. At present there is but one church in the City which has not its own Pastoral residence immediately adjoining. The rule with regard to these Parochial houses, is, that the Congregation shall supply them, for the first time, with suitable and modest furniture, at its expense, and that the incumbent, for the time being, shall keep up that supply every afterwards.

The remark which I made before, with regard to the toil and cares which the building of churches entailed on the Bishop, is equally applicable to the efforts by which Parochial houses and schools have been erected. And it is an overwhelming reflection on my mind, that I am the owner before the law, of all this church property. The responsibility that rests on me, is a source of great uneasiness—and if the Trustee System was one under which religion could make no progress, the present substitute is

accompanied with great drawbacks. We have but Sixty priests for the whole mission of the City of New York,—and one hundred and fifty would not be too many to meet, in the proper manner, the wants of the people. Even as regards churches, I am satisfied that sixty instead of twenty five would not be more than enough.

At present we have three in process of construction—two of them small and for temporary use, and one that ranks among our first class. This is the “Memorial Church” to commemorate the definition of the dogma of the Immaculate Conception.²⁶ It will cost about Eighty Thousand Dollars, and is, indeed, a very beautiful church. It is to be consecrated during the month of May: but it has been so much needed, that I have allowed it to be temporarily used to meet the wants of the people.

It is scarcely possible, to form any accurate idea of the Catholic population in the City of New York. But it is roughly estimated, by many, at between two hundred, and two hundred and fifty thousand. In all the churches, there are on Sunday’s and holiday’s at least three community masses; and in some four, and even five. At each mass, I may say, that every church is crowded—and it is thus, by alternating, the faithful have an opportunity of complying with the obligation of hearing mass. That there are many who, Alas! have not the means of attending, for want of decent clothing, or through want of inclination to assist at the Holy Sacrifice, even on Sundays, is too true.

You will hardly have a correct idea of the immense efforts and sacrifices, that had to be made in order to accomplish, in the way of church building, what has already been done. Our numbers have increased principally by emigration—and the great majority of emigrants, arrive at this port perfectly destitute. On the other hand, our religion itself, has been something of a *new comer*. The great advantages to religion resulting from the New Bishoprics, which the Holy See in its wisdom has erected; (almost prematurely, it might seem,) throughout the interior, and especially in the west is, that our Holy faith and its representatives, take position simul-

²⁶This Church of the Immaculate Conception on East Fourteenth Street was the first in the United States to receive this name after the definition of the dogma.

taneously with the general population.²⁷ They grow with its growth; they increase with its augmentation. Land is cheap, and for a very small out-lay, the Bishops can secure on every side, desirable locations for churches, or religious establishments—which, in time, will constitute the means of supplying the wants of the faithful, and giving to the Catholic body a social *status*, that will entitle them to the respect of a people who entertain nothing but contempt for poverty. But the history of religion in New York, has been in every respect the reverse of all this. The City as you know is built on an island; the rapidity of its growth is almost without a parallel in any country. Its surface is limited; and was owned, from an early period by men of wealth, who have been accustomed to sell ground at fabulous prices. Between this state of things, on the one side, and the poverty of the Catholics on the other, you can easily imagine the difficulties of the struggle, in which we have been engaged, in our attempts to erect churches, schools, & religious establishments.

Before concluding this article, I will make a brief statement in regard to the exercises or practice of religion among the Catholics of this City. The great body of them, endeavor to comply with the laws of the church, in regard to the obligation of hearing mass on Sunday's and holidays. I may say, also, that a great body of them frequent the Sacraments of Penance and the Holy Eucharist, once or twice a year; and very many, once a month, and even once a week. The exceptions will be found among those few who have become wealthy;—and among a much larger number who are pressed to the earth by poverty, and in intimate connections with its vice.

The Religious societies that are established among the laity are, for young men, the "St. Vincent De Paul Society," and, for devout persons of both sexes, the "Sodality of the Rosary," which in the Cathedral alone, numbers about fifteen hundred members. Then there are charitable societies of ladies in every congregation, to

²⁷Such sees were Nashville, Natchez, and Dubuque, 1837; Chicago, Milwaukee, Pittsburgh, and Little Rock, 1843; Archdiocese of Oregon City, 1846; St. Paul, Savannah, Nesqually, and Wheeling, 1850; Archdiocese of San Francisco, 1853.

look after the poor in periods of hardship. The Society of the "Sacred Heart of Mary." for the conversion of sinners, is also very numerous and widely diffused.²⁸

In the foregoing remarks, I have said nearly all that occurs to me, in connection with the churches and congregations of the City.

Fourth. If you will glance over, a second time, the opening pages of this memoir, you will be better prepared to appreciate the meaning of this Fourth Section, which I have called the absence of any provision for the training of Ecclesiastics. Up till that period my venerable predecessors had been obliged to rely upon mere chance for the supply of priests to carry on the mission. The majority of these, in the exercise of the ministry at that period, were priests from Europe, who for one cause or another, came to this country. There were some of nearly every country in Western Europe. But many of them, as you can imagine were not of a type to edify the faithful and build up religion, but were in too many instances of habits calculated to scandalize the people, and almost to destroy the work which they were appointed to carry on. There were a few young clergymen who had been educated on this side of the Atlantic; some at Baltimore, others at Emmitsburgh, and others still, at Montreal.

It was this deficiency of priests that compelled Bishop Du Bois, to admit a large proportion of those foreign clergymen of an uncertain character, to the exercise of the Holy Ministry. He had made some efforts towards an establishment for Ecclesiastical education. But the building which he had erected for that purpose, at great expense, in the Village of Nyack, had been consumed by fire, when it was just completed, but not yet occupied. It was not

²⁸On the last and presently least known of these societies a French missionary wrote after working in the United States in the 1870's: "At the French Church in New York (St. Vincent de Paul) there has been canonically established the *Irish Association* of the Sacred Heart of Mary for the conversion of sinners, affiliated with the archconfraternity of Our Lady of Victories in Paris. Its members meet the first Sunday of every month at eight o' clock in the evening. It is needless to say that the church is crowded; but what I wish to add is that miracles of grace are ordinary occurrences in the society. I am embarrassed to make a choice from the numerous instances before me." F. H. Leneuf, *La foi Irlandaise en Amérique. Souvenirs d'un missionnaire* (Cîteaux, 1880), 167.

insured, and thus, all the means which he had expended on it, were consumed & lost by the conflagration.

The first thing, then, which it was necessary for me to do, was to undertake a work which was so absolutely indispensable, and which in the previous effort to accomplish it had proved so unsuccessful. In the very year of my consecration and before my having been yet charged with the administration of the Diocese, I established a Diocesan Seminary at Lafargeville, in the Northern part of this State. This Institution continued in successful operation for nearly four years, until the Seminary was removed to Fordham, and connected with St. Johns College.²⁹ During six or eight years from that period, there was no lack of candidates for the priesthood. But they were, for the most part, young men from Ireland, who had made their preparatory studies in their own country, as it has been customary, there, for a long time. Viz. They had acquired as best they could, a certain knowledge of *Latin* and *Greek*—in some few instances, of mathematics, and other studies. But in general, they were deficient in the ordinary elements of common education. Geography, History, Belles-lettres, even a practical knowledge of English grammar, or literature, were branches in which the majority were exceedingly deficient. They generally spent four years in the seminary, the first devoted to Logic, and Metaphysica, and the other three to Theology.

Soon after St. Johns College obtained its privilege of conferring degrees, not a few of the Graduates, who are generally of American birth began to pass immediately into the Seminary. From both these sources, we have had an average of twenty five students constantly in the Seminary; and it was principally from this source that I was enabled to provide new missionaries for the constantly increasing demands of the faithful throughout the Diocese. It was still necessary however, to receive such missionaries from Europe, as offered themselves from time to time, but

²⁹Cf. note 17. The property had been bought from John F. Lafarge, the father of the eminent American artist, John Lafarge. Under the presidency of the Reverend Francis Guth it could hardly have been said to have achieved success, due particularly to its great distance from the center of New York's Catholic population. Herbermann, *op. cit.*, 20-21.

with much more caution and discrimination, than had been previously practicable.

The wants of the Germans were particularly difficult to be supplied. We had, at that period, but one very small German church in the City. I appointed its venerable Pastor, the Very Rev. Father Raffeiner, as my Vicar General for the Germans; and devolved upon him, in a great measure, the duty of procuring for them suitable priests from their own Country, as the increase of their number might require.³⁰ This duty he has continued to discharge up to the present time, with a zeal, constancy & prudence, worthy of all praise. We have now in the City six German churches, and four others within the small limits to which the present diocese of New York has been reduced. But previous to the division, Father Raffeiner had established many German Congregations, and provided them with clergy, throughout what are now the Dioceses of Albany, Buffalo, Newark, and Brooklyn. A great accession to the German Mission was the Advent of the Redemptorist Fathers.³¹ The German Catholics are exceedingly prone to divisions and strifes among themselves, and with their Pastors. They are, also, very much wedded to the system of Lay Trustees,—although that system has ceased among them except in a single church, St. Louis, Buffalo, from which many evils have been poured out upon Catholic interests at large.³²

In speaking of the Diocesan Seminary, you can easily conjecture, that not all who were admitted, came out prizes. Many were sent away during the time of their studies, either from incompetency, or other causes. The health of not a few others broke down during the period of their study. But with all these drawbacks, nothing or very little, could have been accomplished, in a diocese such as this was, had it not been for the recruits which, to

³⁰Raffeiner (d. 1861) came to New York in 1833 and in 1836 erected St. Nicholas Church. Richard Purcell, "John Stephen Raffeiner," *Dictionary of American Biography*, XV (New York, 1943), 322.

³¹The pioneer German Redemptorist in the city was Gabriel Rumpler who became pastor of St. Nicholas in 1842 and who to avoid further trustee troubles and to provide a larger church, began the Church of the Most Holy Redeemer in 1844. John F. Byrne, C.S.S.R., *The Redemptorist Centenaries* (Philadelphia, 1932), 142-143.

³²Cf. notes 9 and 14.

the number of four or five, came forth, annually, from the Seminary. Among these there has been a fair proportion of American young clergymen. Neither will you be surprised, on the other hand, to learn that as time went on, I had occasionally to remove one or another of these, from the exercise of the Sacred Ministry. But, on the whole, I must do them the justice to say, that, as a body, the Clergy of New York have entitled themselves to the approbation of the Bishop, and the confidence of the people in a very high degree. They are exemplary, laborious, devoted to their Ministry, and, what is of no little account in a country like this, loyal to their Bishop, and ready to aid him in all his undertakings.

In one of the documents which I shall forward you as an appendix to this Communication, you will see a statement very much at variance with the one which I have just made, in reference to the general character of my clergy.³³ That statement is as untrue, as it is malicious, in the sense in which it is presented, but I shall refer to it more particularly under another head. In the meantime, I think it but fair to say, that there is a sense in which it is partially correct. If any one looks for extraordinary eloquence in the pulpit, or immense erudition, or able writers among the Clergy of New York, he may be prepared for much disappointment. They are in the Holy Ministry laborious and working priests; The duties which cannot be postponed [*sic*] leave them scarcely time for the ordinary rest which nature absolutely demands; and if there be a few, who are capable of eloquence in the pulpit, or able to write in defence of religion, they neglect their capacity, and, on the other hand, are but little distinguished for their zeal, or laboriousness in the duties of the Ministry.

³³The document in question, the *Times* editorial, "Rome and New York," July 18, 1857, spoke thus of the archbishop and his priests: "For years he has not only set aside all rivalry, and repressed all recusancy, but substantially nullified the position of every ecclesiastic whose talents or influence could be brought into comparison with his own. To one of urbane manners and social tastes he would give the charge of a rude and unformed congregation. To another, a bankrupt church; to another, an insubordinate congregation. On the other hand, he lifted up the lowly, the ignorant, and uncouth, and he soon gathered about him a body guard of ecclesiastics of whom he was *facile princeps*; and in the Diocese of New York, more liberally perhaps than anywhere else in the Roman Church, was the Divine word realized, *Beati sunt pauperes animi*."

The mode in which the Seminary has been supported, is by a collection; once a year, which generally amounts to over Five Thousand Dollars. The Seminarians have always, with scarcely an exception, been supported at the expense of the Diocese; and this is true of perhaps every Diocese in the United States. This fact suggests to me to mention, in connection with it, (by way of parenthesis) that the expense of supporting the American College at Rome would be as economical for the Bishops as to educate their Seminarians at home. The only difference would be the expense of going and returning which a large number of the students would be both able and willing to provide. I shall make one other observation before bringing this section to a close. It is this, the relations of the Catholic Church in America, towards the State are exceedingly simple. There is not on any side, or on any question a prohibition against the fullest discharge of every priestly function, which the duties of the Ministry require. Hence, the study, particularly of Canon law, except to a moderate extent, is by no means a necessary qualification of the missionary in this country. A knowledge of it, is indeed most desirable, and there are no students admitted to ordination who have not a certain general idea of the principles of Canon law. That portion of it which appertains especially to the simple duties of the Ministry in Countries where there is no mixture or intertwining of civil law and ecclesiastical discipline, is sufficiently understood—and the strictest adherence to the “Roman Ritual,” is, in all cases, insisted upon.³⁴ If we have still to regret, that the tone of ecclesiastical education is not as elevated in this Country as it is in some others, I am persuaded that in the foregoing pages, you will have seen sufficient reasons, growing out of *necessity*, for exculpating the Bishops on that score. There is too much work to be done, and too few priests for its accomplishment. It is only where the supply of the Clergy is greater than the wants of the mission that these desirable and important studies can be prosecuted to a point of eminence, which it has not been possible for the Bishops of Amer-

³⁴In the First Synod of New York in 1842 strict conformity to the Roman ritual was inculcated in decrees 3, 5, 6, 7, 9, and 21. *Synodorum Archidio-ceseos Neo-Eboracensis Collectio* (New York, 1901).

ica to aim at with success. Time, with the blessing of God, and especially if our American College at Rome should succeed, may supply this deficiency in the general qualifications of our Clergy.³⁵

Fifth. Serious evils have resulted to religion especially in this City, as immediate and remote consequences of the "Irish Famine," in 1847 and 48. The exertions made, even by the poorest of our people, and indeed, I might add by all classes, to mitigate the awful calamity which was desolating and destroying the population of Ireland, are worthy of perpetual record. But the outlet of escape from Ireland, for those who survived, was America;—which, in other words, means the port of New York. During those years, the arrivals of this class were oftentimes at the rate of 1000 and 2000 per day. The utter destitution in which they reached these shores, is almost inconceivable. But besides this, they had imbibed, and brought with them the seeds of disease and pestilence, such as always treads on the footsteps of famine in that unhappy Country—and hence, the awful mortality which prevailed among the Adult emigrants, and the consequent dereliction of their numerous offspring. The Municipal authorities and the laws of the State, which amply provide that no human being shall be allowed to die of starvation or exposure, provided, indeed, for the physical wants of this unhappy class. But in the meantime, for all that related to their moral and religious welfare, they may be said to have passed away from the faith of their ancestors:—not by any wilful process of apostacy of their own, but through a permission of Divine Providence, by which necessity drove them from the tutelage of the church, and, substantially, from the faith of their ancestors. They were protected in the different Public Institutions, which the Authorities had provided for that purpose. But as soon as their increasing years, or recovered health permitted it, they were indentured as servants in the City, or as servants among the farmers and mechanics in the Country, who

³⁵The American College in Rome was to open on December 8, 1859. The previous December Archbishop Hughes had a general collection taken up for it in all the churches. Henry A. Brann, *History of the American College* (New York, 1910), 46.

were willing to receive them. Thus they have been, and continue to be scattered over the surface of the land, and estranged in too many instances from even the opportunities of learning their religion, or of practicing its duties. Hence, in many cases, they have come to be regarded, as they grow up to manhood, in the light of a dangerous and bad class of people,—the disgrace of whose conduct, is thrown in the face of the Church, as a reproach to the influence of her doctrine; and all this with a plausibility of argument which it is sometimes difficult to expose and refute. Their names for the most part indicate their Irish origin, and their Catholic parentage. But it is not exclusively to Catholics of Irish birth that this reproach is made;—Many professing the same religion, and hailing from other Countries of Europe,—when they violate the laws are pointed out with anti-Catholic bitterness, as specimens of the moral results that are to be expected as the fruits of Catholic training.³⁶

For these evils it is not in our power to provide a remedy; we have done all that it has been possible for us, to gather up and restore the scattered *débris* of the Irish nation, as the same have been cast into our community, already overburdened with its own local wants, and, own moral afflictions.³⁷ Yet, the general result has been, to leave in the hands of our most bitter enemies, weapons for assault, which are the more efficient to repel their force. I cannot say, however, that the protestant feeling which I have just referred to, is by any means universal in this community. I think I might even add, that the great majority of the reflecting portion, understand the question to a large extent, even as I have explained it. Yet, we are not exempted from the painful spectacle which is still occurring under our eyes, of the application of im-

³⁶A recent commemorative study states: "By the mid-fifties there was much improvement because of racial immigrant aid societies, shipping regulations, the establishment of Castle Gardens, the suppression of secret societies, better policing, and greater interest in arrivals on the part of churchmen." Richard J. Purcell, "The Irish Immigrant, the Famine and the Irish American," *Irish Ecclesiastical Record*, 5th Series, LXIX (October, 1947), 863.

³⁷Hughes still felt it was better to keep the immigrant near the established churches and in this he disagreed with some of his western colleagues. Cf. Henry J. Browne, "Archbishop Hughes and Western Colonization," *Catholic Historical Review*, XXXVI (October, 1950), 257-285.

mense wealth for the perversion of the destitute children whom we are unable to take under our protection. That kind of zeal, which inaugurates, what is called "Souperism", has pursued its victims to these shores, and not a few of those wretched apostates, who had signalized themselves in their own County, as "Bible Readers" &c, have followed their prey, and receive better salaries here in New York for their diabolical services in the same vocation of apostacy and perversion. This they carry on, however, in a very sly and stealthy manner, and not openly or impudently as was their habit under the protection of the Established Church of England in their native land, and with the encouragement of their Orange Magistrates.³⁸

Strange as it may appear, this zeal of protestantism operates among us, in a higher and more honorable sphere. It is more than ten years since a certain jealousy was felt at the increase of the Catholic body in New York: and there is hardly a single foundation of charity begun by me, which has not been immediately imitated among this class of protestants; even to the copying of the very name. For instance (but this was long before my time,) when we erected a *Catholic* Orphan Asylum, they erected a *protestant* Orphan Asylum, when we subsequently erected a *Catholic* half-Orphan Asylum, they erected a *protestant* half-Orphan Asylum. Now, I may mention, that all their Institutions of this description, are mainly intended for the reception of Catholic Orphan Children, since there are but few of their own under the necessity of taking refuge in such houses.³⁹ When we established the "House of Mercy," in 1841, for the protection of destitute females of good character, they established a corresponding Institution, called the "Home of the Friendless," and placed it, just like ours, under the care of Ladies, whom they designated as

³⁸An Irish historian concludes: "The 'New Reformation' begun about 1824, passed away without having made any permanent impression." James McCaffrey, *History of the Catholic Church in the Nineteenth Century (1789-1908)*, II (Dublin, 1910), 210.

³⁹Hughes' opinion has been borne out by later research. "Factual evidence, however, forces the conclusion that this proselytizing bore the nature of a crusade and that a very real purpose of the child care under Protestant auspices in New York was the stamping out of Catholicism." Jacoby, *op. cit.*, 57.

"Sisters of Mercy." So also, they have got their Institution of another Community, and called the ladies devoted to it, "Sisters of Charity." We erected a few years ago, for Catholic patients an hospital containing about 140 beds.⁴⁰ They, immediately set about erecting a much more extensive Hospital of the same kind, under the patronage of St. Luke, and organized, in like manner, *their* "Sisters of Charity," to take charge of the domestic arrangements, and to nurse the sick:—And you will be perhaps amused, when I mention that their "Sisters of Charity" visit ours, from time to time, with a view to learn their new duties, and to become initiated into the secret of nursing the sick. They are of course ladies of the world, who have (recently) been particularly smitten with the *heroism* of Miss Nightingale. There is one draw-back, however, which is, that large and commodious as their Hospital is, they are unable to put it into operation, principally for the want of patients.

You know enough of what is called protestant charity to comprehend that these efforts, generally, end in failure. But, nevertheless, for the time being and especially in a City like New York, they exercise an influence adverse, and embarrassing to the success of our undertakings. *They* have wealth at their command;—*we* have the poor, and when they are stimulated by that Sectarian Anti-Catholic zeal, which is an innate principle of protestantism, they are but too successful in preying on our destitution.

From these remarks, you will infer enough to form some idea of the Condition of the state of religion in New York as resulting from the immediate and remote evils entailed upon us, in consequence mainly of the Irish Famine.

Happily, emigration is declining rapidly, and I should rejoice if no Catholic who can, live in Ireland, even in humble circumstances, should think of emigrating to this Country for the next

⁴⁰St. Vincent's Hospital at Eleventh and Twelfth Streets and Seventh Avenue was established in 1849 and put in charge of the Sisters of Charity. Sister Angela, the sister of the archbishop, who had had hospital experience in St. Louis was made superior of the two small houses in Thirteenth Street with their thirty beds which were the original home of the institution. Archives of Mt. St. Vincent, "Mother Mary Angela Hughes (1855-1861)," typescript.

ten years at least. The emigration for the last 20 years, has been excessive; and whilst it has done much to build up Catholic churches, and form congregations, throughout the interior, and especially in the West it has afflicted this City in a remarkable degree. The explanation of this observation will occur to you in considering an obvious fact,—which is, that the better class of emigrants, those who have some means, those who have industrious habits,—robust health,—superior intelligence, naturally pass through this City, and push onwards in search of localities in which the resources of industrial life are less developed than here. On the other hand, the destitute the disabled, the broken down, the very aged, and the very young, and I had almost added the depraved, of all nations, having reached New York, usually settle down here,—for want of means, or through want of inclination to go farther.

Sixth. We come now, to the Revolutions in Europe. During the period last under consideration, their rebound on New York was most perilous to the faith and morals of the people committed to my charge. I cannot help regarding it as a singular protection of Almighty God, and a singular evidence of the interposition of the Blessed Virgin Mary, (under whose patronage this Diocese had been especially placed from its origin, under the title of the “ASSUMPTION,” now, under that of the “IMMACULATE CONCEPTION”, that we have escaped the ordeal with so little injury to the principles of our Religion.⁴¹ In this Country, “Liberty” is the watch word, the boast, the pride of all men. The general tone of the Country would seem to require that every man should touch his hat whenever the word “Liberty” is pronounced in his presence. This, you can easily imagine, applies especially to all aspirants for public office, and to the very numerous and ubiquitous class of professional politicians. Sensible men though imbued in heart with the same feeling, yet, oftentimes, ridicule this extravagant display of it among the classes to which I have referred.

⁴¹Hughes was apparently alluding to the fact that all of the original territory of Bishop Carroll had been put under the special patronage of the Blessed Virgin under the title of the Assumption, the name he had given the Baltimore cathedral.

Liberty, in this Country, has a very clear and specific meaning. It is not understood in Europe, as it is here. Here, it means the vindication of personal rights; the fair support of public laws; the maintenance, at all hazards, of public order, according to those laws; the right to change them when they are found to be absurd or oppressive. Such, in brief, is the meaning of the word liberty, as understood by the people of the United States. Of course, you will think of the excesses that have been committed from time to time by mobs, "lynch laws" &c, as marring the correctness of the foregoing statement. But I can assure you that these excesses are regarded, here, as outrages and violations of liberty, the same as they would be in Europe. But in Continental Europe Liberty is understood to mean the overthrow of all existing governments, recognizing the principle of Monarchy. It is the genius of destruction and bloodshed:—ferociously bent on pulling down whatever exists, without the fore-sight or capacity to substitute any thing as good or better.

This distinction did not strike the American people at the outbreak of the late revolutions in Europe, as it does now. Their national pride, as a republic, was much flattered by the anticipation that their example was about to be imitated by all the civilized nations of the earth. There were to be no more kings, or Emperors, or Pope, or Princes; but in their stead, "*the people*" "*the people*" "*the people*." Experience, however, has taught them their mistake; and they have become quite satisfied, that the specimens of patriotism, from the different nations of Western Europe, who by flight or expulsion have reached these shores, are to be ranked among the veriest wretches that ever disgraced humanity, or disturbed the well-being of Society.

This was not the case, however fifteen years ago. About that time, there was established in this City, a paper called the "*Echo d'Italia*."⁴² This Journal was supported, not by Italians, but by the enemies of the Catholic Church; who employed it, to feed *their*

⁴²This weekly, first published in 1850, was opposed by Italian diplomats in the United States but was considered an organ of "sound republicanism" by such contemporaries as the *New York Morning Courier* and the *Daily Tribune*. Howard R. Marraro, "Italians in New York during the First Half of the Nineteenth Century," *New York History*, XXVI (July, 1945), 295-297.

own papers with the scandals, and calumnies against Italy, and its inhabitants, which might tend to damage the estimation of our holy religion, throughout the world. Around this bad centre were congregated, as time went on, every renegade both to creed and country, that Italy would not allow to live in her bosom. Among these, I am sorry to say, that even some bad priests distinguished themselves by their atrocious assaults upon the Catholic Creed and its ministers. The "*Echo d'Italia*," was supported as I have remarked, as a *feeder* to the Anti-Catholic press. The tyranny of the church, the wicked lives of the prelates, the dreadful bondage of the noble Italian people, in their beautiful and classic land,—were themes inexhaustible, under the pens of native writers for that Journal. Hence, the hypocritical homage manifested in this Country, by the bitterest protestants, in favor of Our Illustrious Holy Father, on his accession to the Papal Throne.⁴³

You will not be surprised, if the Catholics were carried away in the enthusiasm of the Country at large—, that they too were immensely flattered, at having lived to see the Holy Father regarded with such universal admiration. Under such circumstances, *they*, became also the blind idolators of what both Americans and Europeans designated as "Liberty"—the "progress of human freedom" &c &c &c. I saw the impending danger of association, on this principle, which it was intended to bring about, between the Catholics of New York, and the "Red Republicans" of Europe. I began early to put my flock upon their guard—not by a direct assault upon liberty, but against its abuse, indirectly and to a measured extent, whenever an opportunity presented itself. I had most to apprehend from the spurious patriotism of the "Young Irishmen." You know how fond is the attachment which Irishmen cherish for their native land, and this attachment seems to grow stronger, the farther they are removed from its shores, and the longer they have been absent. They had been wrought to a high pitch of expectation, and hope for their country's freedom, by the bombastic rhetoric of the Dublin Nation, and other journals

⁴³The election of Giovanni Cardinal Mastai-Ferreti as Pope Pius IX on June 16, 1846 had led to a general outburst of liberal enthusiasm in Europe as well as in the United States.

of the same type. When these hopes were suddenly dashed in this Country, by the result of Mr. Smith O'Brien's campaign, they were broken down, and almost ashamed of the soil of their nativity. This feeling was taken advantage of, and turned into bitterness by some of the Irish Refugees, who, on reaching these shores, pretended to give a full account of the recent efforts in which they had been engaged. They charged the failure on the "Catholic Clergy," as enemies to the Irish people—denounced the hierarchy [*sic*] and priesthood of Ireland, proclaimed that if any of them should show his face on this side of the Atlantic, he should be met with "hisses," instead of the ordinary signs of reverence and respect.⁴⁴

Our poor people were not in a frame of mind to discriminate, and to detect the malice of these cowardly and unjust accusations whilst the Refugee Patriots, from France, Germany, & Italy, did not hesitate to proclaim, openly, that there was no hope of freedom for the down trodden people of Europe, until the Catholic Church and its clergy, from the Pope downwards, should be overthrown, and if necessary, annihilated.

The first event which opened the eyes of the Catholics, was the shout of joy which rang throughout the Country, when it was announced that the Holy Father had been driven away from Rome. The jubilee of our enemies made the Catholics sad. They could not foresee the final result of the measures which the usurpers, in the Eternal City had put into execution. The future looked dark, and they were downhearted. With a view to cheer them, and at the same time, to give their thoughts a better direction, as well as to withdraw them from association with the Red Republicans, who were among us, and the abettors of their principles here, I preached what might be called, a political sermon in my Cathedral, on the Sunday next following the receipt of the news, that the Holy Father had been obliged to quit Rome.⁴⁵ This

⁴⁴Hughes somewhat reluctantly backed the insurgent movement of the Young Irelanders and was mortified at its hasty downfall. Smith O'Brien was one of the Irish leaders of these, "Felons of Forty-eight." The refugee with whom the bishop became most irate was Thomas D'Arcy McGee. Hassard, *op. cit.*, 303-312.

⁴⁵The Pope had to flee from Rome to Gaeta in the Kingdom of Naples on

became a *turning point* in the thoughts of my own people, with the exception of a very few who were incurable, but who ceased from that time to have any influence. I send you a copy of the discourse which was taken down by a Reporter of one of the secular parents [*sic*], and published the next day.

You can easily understand, that from the period of its publication, I became offensive to all those wild and unprincipled Republicans. They did not spare me; but neither did they convert me: and the words which I uttered from time to time, and on various occasions, were published not only here in New York, but throughout the Country—in some papers out of enmity, in others, to let their readers know what I thought in regard to passing events. I have reason to know, that these publications had a great influence in keeping the Catholics *steady*, and little by little, bringing “Red Republicanism” into utter contempt among protestants as well as Catholics.

The enthusiasm and admiration in which Kossuth was held by the American people, were almost boundless. When released from prison by the Sultan, this Government sent a vessel of war to receive him, and bring him to the United States. When he reached Southampton, in England, he took occasion to make a grand speech, and in it, to compliment England for its protestant feeling, whilst he denounced at the same time the Pope and the Jesuits, as the sworn enemies of human liberty. A report of this speech appeared in our newspapers before Kossuth's arrival in this City—and in a public meeting of Catholics convened for the purpose of receiving the Rev. Dr. Donnelly and the Rev. Dr. Devlin, who had just arrived as Collectors for the “IRISH UNIVERSITY,” I took occasion as it were incidentally, in the course of my address, to criticise Kossuth, and to denounce his principles. I dreaded the influence which his reception here, might exercise on the Catholics, and wished them to be fore-warned.⁴⁶ Next day, I was assailed in

November 25, 1848. Hughes preached on “The Present Position of Pius IX,” in St. Patrick's Cathedral on January 3, 1849. Kehoe, *op. cit.*, I, 11-21.

⁴⁶This speech made at Stuyvesant Institute in New York on November 18, 1851, involved Hughes in a brief controversy with the New York *Daily Tribune*. An excellent study on the short-lived university in Dublin does not mention these collectors but only the fact that the United States con-

the newspapers for my denunciation of Kossuth; I had to reply, and justify myself; and thus, my opinions of Kossuth, were spread all over the Country, and his mission became a comparative failure, precisely for the reason, that the Catholics kept aloof wherever he passed. Even in New York, the grand oration that had been arranged for him, turned out to be a failure, because the Catholics would have nothing to do with him. This was noted down by the politicians as a hint that their attentions to Kossuth, might be remembered much to their disadvantage; and wherever the Hero of Hungary passed, he was allowed to place himself, in the hands of protestant Clergymen, and Anti-Catholic bigots. He felt this deeply; and complained of it bitterly. He took occasion afterwards, to make some remarks complimentary to the Catholics—but it was too late—and he fell so rapidly in public estimation, that he was obliged within six months, to leave the country clandestinely, under the name of "*Alexander Smith*."⁴⁷

I should not give you an idea of the excitement which prevailed during the period now under consideration, if I did not mention, that so strong became the force of public opinion in favor of what was called the "European liberty," that it shook the firmness of not a few of the Catholic Clergy, and that from one Reverend pen, at least, I was called to an account, in the secular journals for having misrepresented the sentiments of the Church on the subject of "political liberty."⁴⁸

In short, during that paroxysm about "European freedom," and the overthrow of "Kingly Governments" in Europe, it was as much as one could do, to stand erect, without bowing or bending, to the force of popular sentiment, as portrayed in the newspapers. Details would be endless; and so I shall pass to the next

tributed £4,735 that year. Fergal McGrath, S.J., *Newman's University, Idea and Reality* (London, 1951), 102.

⁴⁷The role played by Hughes in this affair has not been recognized by the scholarly student of this episode. In fact, on partial evidence he attributes the archbishop's attitude to the influence of Hülsemann, the Austrian chargé d'affaires in Washington and not to Hughes' own conviction that Kossuth was an enemy of the Church. Merle E. Curti, "Austria and the United States, 1848-1852," *Smith College Studies in History*, XI (April, 1926), 177; Hassard, *op. cit.*, 342-344.

⁴⁸This "Reverend pen" has not as yet been identified by the editor.

division of my subject, which is a half opened *new* book in the history of the Catholic Church, in America.

Seventh. The "Know-nothing faction, which has been recently so menacing, is but the embodiment of sentiments, that have always been lurking in the protestant mind of this Country.⁴⁹ You are aware, that on no spot of this Globe, have the protestants ever conceded equal rights to the members of the Catholic Church when it was possible to withhold them. It is a popular boast, having more of show than of substance, that the Founders of this Republic, recognized in organizing the government, a perfect equality of religious rights, for all denominations. I think I know sufficiently well the character of the men who took part in laying the foundations of Our Republic. They were men deeply tinged with the indifference, not to say the infidelity of those who figured at the head of the first French Revolution. But, as to their public and private moral character, they were, in the main, honorable gentlemen; men of great individual force of character, admirably suited to undertake the work, which they have so successfully accomplished.

They were to form a new, and Independent Government, by a combination of Thirteen English Colonies. These colonies, were all protestant, except that of Maryland, in which at the period of the American Revolution, the Catholics did not number over Seven or eight thousand, and these proscribed on account of their religion. In all the other colonies, not only were there no Catholics, but every bitter statute against the progress of the Catholic religion, which had been enacted by the intolerant Government of England:—and so far as New York is concerned, by the intolerant Government of Holland, was in full force.⁵⁰ At a small distance from

⁴⁹A non-Catholic scholar has offered verification and proof for this statement. Ray Allen Billington, *The Protestant Crusade, 1800-1860* (New York, 1938), 1-31, in a chapter entitled, "The Roots of Anti-Catholic Prejudice."

⁵⁰Hughes' figures were not accurate. In 1785 Carroll estimated about 15,800 Catholics in Maryland, about 7,000 in Pennsylvania, not over 200 in Virginia, a rumored 1,500 in New York State and some others scattered through the area reaching out to the Mississippi River. Peter Guilday, *The Life and Times of John Carroll* (New York, 1922), 225-226. With the

the present Cathedral of New York, it is little more than a century ago since an Englishman suspected of being a priest, was publicly executed, for hardly any other crime.⁵¹ This spirit of legislation, and of intolerance prevailed in all the Colonies. But the sects were of different denominations. In the extreme South, Presbyterianism, and towards the close of the British rule, Methodism prevailed. In the extreme North and East, that is, the portion called "New England," Puritanism, of the most bitter description was the predominating sentiment. New York State, having been settled originally by the Dutch, had what is called "the Dutch Reformed religion"; New Jersey, Pennsylvania, and Western Virginia, were a conglomeration of Quakers, Presbyterians, and Baptists. Eastern Virginia was of the Established Church of England. The handful of Catholics in Maryland, were counted for nothing.

Now the question to be decided by the Framers of the Constitution, required a compromise among these various sects. If any of them claimed to be recognized as the religion of the State, the others would have rebelled and scattered the purpose of union to the four winds. And in fact, they were on the point of splitting, on the subject during their deliberation, in regard to the frame work of the Constitution. Excitement rose so high, among the Representatives of the different Colonies, that some began to grasp the papers and notes on their desk, with a view to quit the Assembly and return to their homes. At this critical juncture, Benjamin Franklin, who has had the reputation of being a Deist, if not an Atheist, proposed that they should unite in prayer, and then adjourn.

This allowed time for reflection, and the members of the Assembly returned on the following day in a calmer state of mind.

beginning of the republic came the process of disestablishment in the various states with Rhode Island and Virginia leading the way in the matter of full religious freedom. Sanford H. Cobb, *The Rise of Religious Liberty in America* (New York, 1902), 507.

⁵¹This non-juror Protestant clergyman, John Ury, was hanged on August 15, 1741 in New York City at a time when the populace was aroused by fear of a Negro uprising and a Spanish threat induced by a letter of General James Oglethorpe of Georgia. John Gilmary Shea, *The Catholic Church in Colonial Days, 1521-1763* (New York, 1886), 399-400.

The result was, that *no religion* should be recognized as connected with the State—that Congress should have no right to enact any law on the subject—either *pro* or *con*.⁵² The Catholics, as I have said were so few and insignificant, that they were hardly taken into account, by these Framers of our fundamental Constitution. In the course of time, the Catholics began to increase, and within ten years, from the period when this great State document was signed, the Catholics were deemed numerous enough, to claim and obtain from the Holy See, the institution of their first Bishop.⁵³ They have continued to increase from that period until the present; and, now, the number of their Bishops is six and forty. The faith of their little flock in Maryland has spread all over the land; so that although, still, in a small minority, the Catholics are found in every portion of the Country.

The original genius of protestantism, however, has not changed its character in the least, and for the last quarter of a century, there has been a growing feeling of jealousy on the part of the protestant Community in regard to the increase of our numbers. This feeling has suggested to those who entertain it, that it was an *over-sight* in the Framers of the Constitution, to have allowed the same privileges to the Catholics, which had been guaranteed to the protestant sects: And yet, to their deep regret, there was

⁵²The fact is, "There was little difficulty then in agreeing upon the one clause in the original constitution that deals with religion; namely, the prohibition of religious tests for federal offices." (Art. VI, par. 3). In response to a demand for a more definite guarantee of religious liberty the first amendment submitted to the states several years after the convention of 1787 provided that, "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof." Evarts B. Greene, *Religion and the State* (New York, 1941), 84.

The Franklin episode consisted in his making a motion during the debate on the important matter of how the various states should be represented in the central government to the effect that the convention should open its later sessions with a prayer. It was heard respectfully but no action was taken. However, it was late in the day and the atmosphere was somewhat cleared by the adjournment that followed. Yet, as one authority has put it, "The effect of his motion has been traditionally exaggerated and distorted." Carl Van Doren, *Benjamin Franklin* (New York, 1938), 747-748.

⁵³John Carroll was named to the See of Baltimore in 1789. The constitution was sent from the Philadelphia convention for the approval of the states in September, 1787, and the new federal government began its life in April of the same year as the first member of the American hierarchy was named.

no civil law in existence, nor was there any recognized right to frame one, for the oppression, or exclusion, or persecution of the Catholics. In the absence of law, therefore, they were disposed to repair the mistake by appeals to public opinion against the church. During the first twelve or fifteen years of my residence in the United States, a question of this kind was never agitated. If the protestants assailed the "Church of Rome," in any public manner, the secular papers, took up our defence, and threw themselves back on "the unexampled liberality of the men who framed the Constitution." In 1831, I was a priest in Philadelphia, Pastor of St. Johns Church, in that City. There were sixteen hundred paupers in the alms-house; the nurses and servants of that Institution, fled from its precincts, the moment the "Asiatic Cholera" broke out among the inmates. At the request of the City Authorities, I petitioned for Sisters of Charity at Emmitsburgh to come and take charge of the forsaken sick and dying. They did so. They took charge, to a great extent, of all the hospitals, erected for cholera patients throughout the city. The Catholic Clergy, also, were busy, day and night, in administering the sacraments and consolations of religion to those who needed them. This continued for some sixteen or seventeen months, until the epidemic had partially subsided. During its prevalence, nearly all the protestant clergy had fled from the scene of desolation, together with their families. Similar events were taking place in other cities, and in the meantime, the newspapers, were lashing the Reverend recreants with censure and sarcasm from day to day, and contrasting with their conduct, the noble devotion of the "Sisters of Charity" and the "Catholic priests." But what annoyed those Parsons, in an especial manner, was, that the City Council of Philadelphia, put on their records, a public vote of thanks, and bestowed upon the Sisters of Charity, the testimonial of what is called, "A Service of plate." This, of course, they declined. But the Legislature of the State, also pronounced, indirectly, a censure on the protestant Clergy, by passing and proclaiming to the world, a VOTE OF THANKS to the "Sisters of Charity," by the Legislature of Pennsylvania.⁵⁴

⁵⁴Some other activities of the Church in Philadelphia in facing this epidemic in 1832 are described in Nolan, *op. cit.*, 157-159.

"Know-nothingism" under one name or another, took its origin from that period. Few years afterwards, it burnt down the Convent of the Ursulines in Boston.⁵⁵ This atrocious barbarism, was generally denounced, and the feeling which prompted it was checked for a time. It broke out, however, again, in 1844, and manifested itself, especially in Philadelphia, by the burning of churches, the sacking of Convents, and the shedding of blood; and was put down for the time, by the military force of the State, after a well fought battle, and with many lives lost on both sides.⁵⁶ It broke out again, the third time in 1854, but under more menacing and more mischievous auspices. Its partisans had been encouraged to it, by the events to which I have alluded in the preceeding section.

The refugees from Germany, France and other Countries of Europe, who had been received as "exiled patriots" communicated *their* secret of organization to the first founders of "Know-Nothingism." The evidence of this is in the fact, that, then, for the first time, the enemies of the Catholic Church, in this Country, became a *secret association*, binding its members by oath to make no revelation of its secrets, even in Courts of justice. Whenever the interests of the Society were at stake, they were bound to answer, even before the civil tribunal, "I do not recollect"—"I cannot say"—"I do not know,"—and from this last answer they acquired the name by which they are now recognized as "Know-Nothings." They were already in existence before the arrival of Gavazzi; but that unfortunate man did much to stimulate them to purposes and deeds of atrocity. Their special hostility to Archbishop Bedini, was, in a great measure his work.⁵⁷

It would be tedious to go through all the excesses of their brief career; they exist still: but they have abolished their oath of secrecy, and neither the Catholics nor the Country, have any

⁵⁵This took place in 1834.

⁵⁶About two dozen lives were lost according to the best account. Cf. Nolan, *op. cit.*, 288-342, which defends Bishop Kenrick's policy of leaving the city for a brief time during the trouble.

⁵⁷Alessandro Gavazzi, an ex-Barnabite priest, arrived in New York City in March, 1853, and was widely feted by anti-Catholic leaders. Peter Guilday, "Gaetano Bedini," *Historical Records and Studies*, XXIII (1933), 13-14.

thing more to dread from their malice. In some respects their violence was very servicable to the Catholic cause; it tended powerfully to unite the Catholics, and to destroy that spurious liberality, or rather indifference, which had prevailed to a great extent. But on the other hand, it succeeded to a certain point in developing latent causes of division among the Catholics themselves. The "Know-Nothings" pretended that their hostility was not so much against Catholics, as against foreigners; and some of our Clergy, and even Prelates, were more or less led astray by this dangerous distinction.⁵⁸ The object was, to sow divisions among us. The opportunities for doing so, were especially favorable. You will understand this better, when I explain to you, the position of the Catholics, especially in New York, and in nearly all the Northern Cities at the period which ushered in "Know-Nothingism."

The Church had been advancing with great apparent success for several years previous. There was a large emigration from Europe. There were great numbers of Converts from protestantism, and among these, we count twenty protestant clergymen Converts to the faith in New York.⁵⁹ What is called the "Catholic Press" in this country was generally under their direction—partly, as furnishing them a means of living, and at the same time of being useful to the church which they had just entered. There were many young Catholics of American birth, zealous for religion, and ambitious to see it on a pedestal of honor from which it should command the respect of their fellow citizens. The great draw-back to these anticipations, was the multitude of foreigners in humble life,

⁵⁸In Philadelphia on June 5, 1855 the National Council of the American Party approved a change in the wording of its platform in order to welcome Catholics to its ranks. The greatest accommodation of this nature was tried in Louisiana. The latest study on the subject, which plays down the anti-Catholic aspects of Know-Nothingism, claims without offering proof, that, "Thousands of stanch Catholics supported the Americans." W. Darrell Overdyke, *The Know-Nothing Party in the South* (Baton Rouge, 1950), 218-219.

⁵⁹Some of these are accounted for in Clarence E. Walworth, *The Oxford Movement in America; or Glimpses of Life in an Angelican Seminary* (New York, 1895). At end of the year 1849 four prominent ministers entered the Church within the same month, John Murray Forbes, pastor of St. Luke's and his assistant Thomas S. Preston, Jedediah Huntington and Donald McLeod. NYAA, Hughes' Register, December 12, 1849.

who claimed to be, and were Catholics. "If the management of ecclesiastical affairs, should be placed generally in the hands of native born Americans, whether Converts or not," it was supposed that the "hostility of the intolerant faction called Know-Nothings would cease." Hence, many Catholics were found to sympathize with the Know-Nothings, as far as the mere question of foreigners was concerned, hoping, as no doubt they did, thereby to save religion.

But this was a vain and foolish idea. The real enmity of the Know-Nothings was against the Catholic Religion; which is proved by the fact, that they enrolled, with approval, Irish Orange men, and German protestants:—and even those, who had first thought, that the Church might be saved, by the subjugation of foreign Catholics, have since found out their mistake. At the present time wherever the Church is more represented by Native American Catholics, than by foreigners, there she is most oppressed and persecuted. The Cities of Baltimore, of New Orleans, and of Louisville, are, at the present moment, under a "reign of terror," and these are, of all others, the cities that are most numerously represented by Catholics born on the soil.⁶⁰

It was not difficult to perceive in what direction, the popular mind was drifting. The distinction between native and foreign born Catholics, did not break out into any thing like an open rupture; but it was very easy to see at any moment, that nothing was wanting for this, but an occasion. I labored with all my might and influence to disappoint our enemies, even on this critical and delicate topic. And, thank God, I have, to a great extent,

⁶⁰These cities had witnessed serious bloodshed and riotings against foreigners and Catholics especially at the time of elections. Louisville had its infamous "Bloody Monday" in August, 1855, and Baltimore while under nativist control up to 1860 was dubbed "mob-town." In the latter city's municipal election of October, 1858, the American Party won when the Democratic candidate withdrew on the grounds that it had become too dangerous for his friends to vote for him! In 1857 the Democrats had claimed their defeat in New Orleans was likewise brought about by "violence and fraud." In January, 1858, the Kentucky party convened in Louisville and formulated nativist resolutions. Cf. Overdyke, *op. cit.*, 286, 277, 283-284; Sr. Agnes McGann, *Nativism in Kentucky to 1860* (Washington, 1944), 86-113; Sr. M. St. Patrick McConville, *Political Nativism in the State of Maryland, 1830-1860* (Washington, 1928), 121.

succeeded. The pamphlet which I send you as an Appendix to this communication, will give you an idea, of what I mean by the foregoing observation. I had to bring our quasi "Catholic papers" to order, and to stifle the growing elements of discord and controversy. You may be sure that although the object has been accomplished, still, the Editors and others, whose projects were interfered with and baffled, have not forgiven me. Of this you will find an evidence in the published resume of my administration, by one of my own priests, over the Signature of "EQUITAS," this and the documents growing out of it, I have caused to be translated into Italian.⁶¹

There was another communication from the same source, but published Editorially, which I also send. The first document I never noticed in public. The second I replied to, because the Editor of the paper was a person of rank,—having been but recently, the Vice-Governor of the State of New York. My answer is more severe than it is possible for you to understand from reading it.⁶² The Editor of the *NEW YORK TIMES* has not recovered from it but neither He, nor any of the other papers has attacked me since the date of its publication. The protestant as well as the Catholic public, were indignant at his unprovoked & malicious attack. The Newspapers denounced him for it, and whilst my refutation was published in more than 25 journals, his assault was not copied into a single one. The attack of "EQUITAS," in accordance with the intrinsic malice of its Author, was cut from the paper in which it had been published, and a copy of it sent to every Bishop in the United States, without either name, or note, or comment. I have reason to think that it was also sent to many of the Bishops of Europe; and even to some of the Cardinals at Rome; if not to the Holy Father himself. Several of

⁶¹Cf. appendix for the text of the original "Equitas" letter.

⁶²This "second document" was the editorial, "Rome and New York," which was included in Hughes' reply and therefore published in Kehoe, *op. cit.*, II, 503-513. The editor to whom the archbishop referred was Henry J. Raymond, founder of the *New York Times*, who served as lieutenant governor of New York State from 1855 to 1856. Raymond's recent biographer ignores this whole episode with Archbishop Hughes as well as the prelate's other contacts with the *Times*. Cf. Francis Brown, *Raymond of the Times* (New York, 1951).

the Prelates in this Country on seeing it, threw it into the fire, but anonymous as it was, it would be almost natural that Bishops unacquainted with the circumstances of New York, should think, that, although it was malicious, still, it could never have been written and published here, under my eyes, if it were not founded upon truth of some kind,—and hence, I have no doubt, that my reputation has been shaken in the minds of some at least of my Episcopal brethern. It is true, that each of them has his own troubles to encounter: And it is equally true, that at all times there have been discontented individuals both among the clergy and the laity of my Diocese, as well as of others. But they have never been numerous enough, to manifest any open opposition to my administration. The Clergy and laity, are as united with me at the present time, as they ever have been, with the exception perhaps, of some whose beautiful schemes for propelling the Catholic religion, by the force of combined native American lay and clerical talent,—I could not approve. I did not wish to have the peace of my Diocese broken up by indulging them in their crude conceits. You will perceive by the second document I referred to, that their Authors, count on the support of Rome, and in regard to that point, I am without any evidences by which I could confront them. One thing, however, I shall say, that I would not wish to remain a single hour Archbishop of New York, if I could imagine that I did not enjoy the benediction, the confidence, and the approval of the Holy See.

Allow me in conclusion to make some general remarks, in relation to both the past and the present condition of the Catholic Church in this Country, and more especially the Diocese of New York with which I am most familiar.

The increase of the Catholic people in the United States, has been very great, indeed. But I think an exaggerated idea of the Catholic population, would result from the assumption, that it was in proportion to the increase of the hierarchy. We have 46 Bishops. The Catholic population throughout the whole United States, can scarcely exceed three millions and a half.⁶³ These are very un-

⁶³Hughes' figure of three and a half million compares very well with the best estimate now available for 1860, namely, 3,103,000. Gerald Shaughnessy, *Has the Immigrant Kept the Faith?* (New York, 1925), 153.

equally distributed. In many Dioces [*sic*], the Catholics are very few—the Bishops throughout the interior, residing in their quiet towns or villages are anxious to propagate the Kingdom of Christ, in all simplicity and mildness, without saying or doing any thing that would excite the enmities or opposition of the protestants among whom they live. The same remark would apply to several of the Episcopal Sees established in cities of a populous and prosperous character. Now *my* lot was cast in the great Metropolis of the whole Country. My people were composed of representatives from almost all nations. They came under Episcopal government in a new country, and in circumstances such as they had not been accustomed to, in their own. It was necessary that they should be brought to coalesce as one Catholic flock. They were surrounded by many inducements to diverge from the unity of the Church, both in profession and in practice. Many snares were laid for them, and, under these circumstances, I found it expedient to adopt a new mode of government, resulting almost by necessity from the peculiarity of my position. I had to stand up among them as their Bishop and chief, to warn them against the dangers that surrounded them; to contend for their rights, as a religious community; to repel the spirit of faction among them; to convince their judgment by frequent explanations in regard to public and mixed questions; to encourage the timid, and sometimes to restrain the impetuous. In short, to knead them up into one dough, to be leavened by the spirit of Catholic faith and of Catholic union. Hardly, any thing of this kind, was so expedient or necessary in any other Episcopal See within the United States.

I will remark here, that in all this, I never thought of speaking, or writing, or legislating, except for the especial flock which the Church had committed to my Episcopal care. But, in a Country like ours,—so teeming with newspapers, and in which every thing goes forth, (especially from the Metropolis,) on what are called the “wings of the Press,” the questions agitated in New York, were carried away to every village and hamlet; and there discussed in the local newspapers, and in Society, very much as they would be in New York itself. Many a quiet Episcopal See has

been agitated—many an annoyance brought upon both the Clergy and the laity of those remote localities, from the struggles which had to be sustained in this place alone. The Bishops of these Sees as a general rule, understood very little of the merits of any question that was agitated here. And I may say, that a great many of them understood but imperfectly, the genius and character of this Nation. Fewer still, of the Episcopacy have even a moderate idea, of the *special* and *peculiar* position of the Catholics of New York. Consequently, all our New York troubles have been transferred to every portion of the Country—more or less—giving annoyance to both the Bishops and the Clergy, and even the laity, in the distant portions of the United States. This result was inevitable, in the circumstances of the Country; but never intended by me;—since I only looked, as my first duty, to the welfare of the Diocese committed to my charge.

As time went on, however, and the solution of different disputed questions here became public, and as it was always found in favor of the position which I had taken, New York acquired a certain kind of general predominancy in the minds of the Catholics. What was done at New York, or said by me, was taken to be the true course for every place else, as well as this. And thus, through the medium of the newspapers, rather than from any direct instruction or guidance on the part of the local ecclesiastical authority, a certain tone of action and feeling became prevalent among the Catholics—and the remote consequence has been, a certain slight jealousy towards New York, as if no other Episcopal See was to be spoken of, or canvassed, or discussed. Even this it was not in my power, either to prevent or avoid. I wished to do my duty towards my own diocese, and beyond that I desired neither praise, nor censure, nor responsibility.

In a foregoing portion of this memoir, I have referred to the "Catholic Press," which has come to be, more or less in the hands of converts. Now with regard to Converts, it is very consoling and very agreeable to receive them into the Church. But unhappily, as time goes on, they sometimes betray the absence of original Catholic discipline. Without being conscious of it, they are disposed to employ the same methods for promoting Catholicity, to

which they had been accustomed, and which were appropriate enough in promoting the interests of the various sects to which they had previously belonged. Besides, without questioning the purity of their individual intentions, there is, that "amour propre," peculiar to every man, which, in their case, is almost certain to be wounded by the transition and change of creed. Many of them attached no small human importance to the step, whether *before* or *after* it was finally taken. Before, they entertained the idea, especially if they had been clergymen, that a large portion of their co-religionists would join them, or promptly imitate their example. After, they had imagined, that there would be *TE DEUMS* of jubilee among the Catholics, in consequence of their accession to the Church. In both, this private feeling has, in the main, been disappointed. Their protestant brethern did not seem to shed any tears over their departure; nor did the Catholics go into ecstasies. It was acknowledgd on both sides, that their transition was, and should be, a matter of personal concern, having for object, the salvation of their own souls. But as they became more numerous, and more acquainted with Catholics, especially young men born in this Country, they imagined themselves an auxiliary corps to aid the Bishops and Clergy in propagating the Catholic doctrine among the protestants of the United States, whom *they* professed to know by heart. Their general idea for the accomplishment of this, was a combination of lay elements, to aid indirectly in the work of the ministry. Their reliance was principally on "The Press"; but in connection with it on "Associations" which they have tried and which have all failed. *Viz.* "CATHOLIC LIBRARY ASSOCIATIONS," "CATHOLIC LECTURE ASSOCIATIONS," and last of all, and least profitable, "CATHOLIC CLUBS." I did not especially approve of any of these, but I gave permission for the several experiments from which they anticipated so much benefit to religion. They were encouraged to make these experiments, by the example of what has been called here "Young Catholic England."⁶⁴ They

⁶⁴Hughes was apparently referring to the group in England centered around the *Rambler* and including converts like John Henry Newman and such laymen as Lord John Acton. Cf. Wilfred Ward, *The Life and Times of Cardinal Wiseman*, II (London, 1898), 207-252, the chapter entitled, "Converts and Old Catholics."

were encouraged farther by the kind words which the Pope had addressed from time to time to learned laymen who were laboring for the defence of religion against the rising surges of infidelity and of heresy in different old Catholic Countries of Europe. All these encouragements of the Holy Father, they *appropriated to themselves* in as much as they were all directly or indirectly connected with the "Catholic Press." They made no discrimination between the circumstances of the Church in the old countries of Europe and those which surround her in the United States.

As regards her past career in this Country, her enemies have nothing to assail; and consequently these young and injudicious friends had no opportunity to refute the writings or assaults of her adversaries, However, as in America the *past* is little thought of, but the *future* every thing, so these writers would take, to some extent, what I might call the *prospective engineering* of the Church into their own hands, as knowing, if not the doctrines of religion, at least the genius of the American people, much better than the Bishops. They have been disposed if not to find fault with every thing that has been done at least to point out how much more might have been accomplished. But especially they take pleasure in suggesting to the Prelates and clergy what is to be done for the present and for the coming time. Of course they leave it to the Bishops to carry out what they had projected, and if this be neglected it is the fault of the clergy and not of the zealous conductors of the "Catholic Press." Appropriating to themselves the words of encouragement which the Supreme Head of the Church addressed under peculiar circumstances to certain eminent lay Editors of Europe, they have been disposed to look upon themselves as an unofficial but approved portion of the Catholic hierarchy.

I have set my face strongly against the exceptionable parts of all this. There are many wants which no Bishop can supply for lack of means. There are many other wants which they point out, but which it would be inexpedient to supply as they propose, even if the Bishop had the means. As for themselves few of them have either the will or the ability to take any serious part in supporting the burthen which in their immature zeal they are so ready to see the Bishops and Clergy impose on others.

These remarks will explain to you the necessity which prompted me to publish "Reflections and Suggestions on what is called the Catholic Press in the United States."⁶⁵ But I have another object—which was to prevent these newspapers from sowing divisions or creating factions among the Catholics of My Diocese. In this I have been successful. They indulge still in their little theories but nobody minds them any more.

There never was, Dear Father Smith, a composition containing so much Egotism as this—and yet I make no apology: for, even if I were disposed to do so, I could not separate myself from the events which I have narrated, or the circumstances of the times and places in which they occurred.

I Remain As ever

Your Devoted Friend & Servt. in Christ

John Hughes Abp of N. York

New York March 23d 1858.

Rev. Father B. Smith. O.S.B.

[APPENDIX]

THE "CATHOLIC PRESS."

Reply to the Recent Article of Archbishop Hughes.

To the Editor of the New York Daily Times:

Sir: Might I ask, as a constant reader of your paper, the privilege of making in the columns of your respectable journal, a few remarks on "Reflections and Suggestions on the Catholic Press," by the Most Reverend Archbishop of New York.

All regret that these reflections have appeared in print, and it is said that many of his best friends have tried to prevent their publication. But accustomed to rule without counsel all his life, he could not consistently submit to advice in this case. We often hear much said of the wisdom and judgment of old age, but, in my opinion, the periods of life that betray most the absence of both are extreme youth and age. I believe the Archbishop will regret the publication of this article more than anything that has come from his pen since the publication of that famous document in which he endeavored to make up in the estimation of the community for the want of respectability in his Irish origin by claiming a Welsh descent, and to hide the obscurity of his Irish ancestry by giving an elaborate history of the sept of the Hughes.

⁶⁵This article which brought on the "Equitas" letter appeared first in the Baltimore Catholic magazine, *The Metropolitan*, IV (December, 1856), 649-661.

In the article under consideration, the Archbishop manifests unmistakably his CELTIC blood and CELTIC propensities. In reading it over we are reminded of the individual, who, beholding from the vessel, as it approached the shore, a bloody fight on the dock, grasped firmly his cudgel, and on landing sailed in with terrible effect on all, indiscriminately, who showed the least signs of battle. At the termination of the fierce encounter, when asked by those who had been spectators of his prowess, and the deadly precision of his blows, what side he had been helping, he candidly answered that "he never battled for party. He always fought for fun, and generally on his own hook."

The only difference, as to genuine Celtic propensity, between the Archbishop and the above-mentioned individual, is that the Archbishop sails into the leaders of the Catholic press, because they disagree and show signs of fight. And, again, deals out his deadly and unmerciful blows against them when they agree and manifest to the world harmony of feeling and unity of opinion. He knocks down and nearly annihilates the editor of the *Celt*, for asserting "that the success of religion in this country depends on the influx of immigrants."

He next turns on Dr. Brownson, a convert to the faith and of Protestant descent, and almost sweeps him out of existence for no other crime according to the Doctor's candid, though waggish acknowledgment, in the last number of his *Review*, except that he possesses in a supereminent degree the three Divine virtues of Faith, Hope and Charity; and for asserting "That the success of religion depends on the reflux of emigrants, and that the Church will progress in proportion as she is represented and presented to the world by natives of the soil." Leaving both as dead, he lastly lays hold of the *Freeman's Journal*, but handles him with gloves on, such as he wore when he held the "vile insect Brooks" out of the window, and gracefully dropped him into oblivion.

But before letting poor Master MacMasters [*sic*] go he nearly shakes the life out of him, tells him that he is nearly as bad as the others, and that if he does not mend his manners he knows the doom that awaits him. Though the only crime of which he finds him guilty is "That for several years the *Journal* never deviated from the principles of justice, truth, order and social interests."

Having annihilated the three representatives of the Catholic Press, or at least reduced their loud and discordant batteries to silence, he proudly struts over the field of battle, and, in the flush of victory, asks of his prostrate antagonist several questions, in tones of contemptuous defiance, and concludes the campaign by granting a truce, and drawing up the articles of a lasting peace. It is, however, in these questions of the Archbishop to his fellow adversaries, and in the articles of peace which he has graciously granted to them, that we are to discover the true cause of his indignation against them, and the real nature of their offence. When Dr. Brownson advised all whom it might concern "To cheer on the young, lay and ecclesiastical, in their zeal, activity and enterprise, and cautions all against snubbing them for their inexperience, quizzing them for their zeal, damping their hopes, pouring cold water on their enthusiasm, and brushing the flowers from their young hearts;" when he asserted "That to do the work and advance the cause of religion, we wanted men of fresh hearts, of boldness, of energy, of enterprise, and of positive virtues, and not simply good easy men, whose chief merit is their inability to do harm, and whose study is to keep things quiet and as they are," he never imagined that any individual should feel greatly offended, or that any person would jump indignantly into print, and ask defiantly, in the face of a community wide awake to all that is going on, such questions as "When, where and by whom." The Archbishop knows very well that his questions cannot be answered by any Catholic, without giving great offence,

and without fixing too intensely the already keen attention of the Catholic community on what is transpiring within it. When these editors commended bishops and priests for their zeal, their disinterestedness, and their self-sacrifice; or for their acquirements, boldness, and energy, they never imagined, nor do they now believe, that they were guilty of any grievous sin or that they did more than their duty, even if some destitute of these virtues were passed over in silence, for they know too well that we cannot long impose on the community by fictitious and premature panegyric or by false and unjust censure.

But why do not these editors proclaim throughout the length and breadth of the land; why do they not convey on the wings of the press to the distant nations of Europe; why do they not tell the priests, bishops and cardinals; yea, even the pope himself, "what glorious things have been done here for the interests of religion and the cause of afflicted humanity?" instead of whining over the defection of a few old Catholics, which might have happened in any country, or wailing over the loss of some hopeless young, "who may be truly said never to have belonged to the church!" Here the Archbishop manifests too plainly the cause of his anger. Here he shows that he is in his old days the same politician that he has ever been—that he thinks more of what the world will say, that world whose admiration he has ever tried to attract, than he does of what his own priests and people see and feel and think and say.

The Archbishop asserts in contradiction of the Editors, that among the grown-up and well-instructed Catholics there is hardly any such thing as apostacy. This I hope and believe to be true. If there be any case of defection from the Church, his priests know it well. But, at the same time, I can assert on the authority of the best and most respectable priests, that of this the Archbishop knows little or nothing—that he has seldom, if ever, called them together or condescended to ask their opinion or advice on this or any other subject. Or, if he did, it was to let them retire under the mortification of knowing that their opinion was of no possible consequence, and with the conviction that their advice would be utterly disregarded. In fact, I have been informed that in the ecclesiastical affairs of the archdiocese they have just about as much to say as BRIGHAM YOUNG. That the best way for them at least, is to move along quietly and smoothly, without attracting notice; to call to see him occasionally, to talk sorrowingly over the failings of the weaker brethren and to pour a little of the oil of flattery on his Archbishop's brow.

The Archbishop admits that, among the young and uninstructed, many have become bad Catholics and bad members of society, and have entirely fallen away from the faith. But then, in justification of himself and of his government, which appears to be the only object of the article he attributes all to the mysterious dispensations of Providence. This is a very convenient way of accounting for the wrongs and disorders of life—a very easy way to justify the absence of law and the violation of sacred rights, the apathy to existing evils, and the neglect of positive duties. But it would be more manly, as well as more Christian, to endeavor to remove the evil, and to remedy the disorder, by the means which Providence and Christian charity have placed at our disposal. It will not do for us to throw our responsibility on Providence, and, above all, it will not do to assert that those baptized in the Catholic Communion, "strictly speaking, never belonged to the Church." It is the first time I have known that sentiment to come from a teacher in God's Church. I might seek for it in vain among the writings of the departed Doctors of the Church, from the days of St. Thomas, the angel of schools, to the present moment. But, as I may be ignorant, or might be deceived, on this point, I will await the action of the Bishops, or the decision of the

Holy Father himself, as to its orthodoxy. I am, however, certain that the holy, devoted, and self-sacrificing heroes who founded orders for the redemption of captives, who agreed to spend all the wealth which Christian charity placed at their disposal, and, when all was gone, bound themselves by a vow to sell themselves to the infidel, to exchange for their Christian brethren, groaning in slavery, and exposed to the danger of apostacy, would listen, not only with astonishment, but with holy horror to such a sentiment, coming from the pen of a Bishop of their day. In my opinion, and in the opinion of many good Catholics, the Archbishop would manifest more of the tone and spirit not only of a Bishop but of a Christian, by retiring from political strife, and devoting the few short days of his declining life to the good of his people. Above all I would advise him to refrain in future from the exposure of the crimes of individuals, for which they have long since repented, and from which they have been already absolved even by the very authority with which his Grace is invested.

EQUITAS.

January 6, 1857.

[From the New York *Daily Times*, Friday, January 9, 1857, p. 3.]

THE UNITED STATES CATHOLIC HISTORICAL SOCIETY

(Incorporated under the Laws of the State of New York, January, 1885)

BY-LAWS

(as amended, 1950)

ARTICLE I

The membership of this Society shall consist of regular, institution, life and honorary members, benefactors and patrons, who may be elected at any meeting of the Council by a majority vote. Regular and institution members shall pay an annual fee of five dollars. Life members shall be such as elect to pay one hundred dollars, in lieu of all other payments for life. Honorary members shall be subject to no dues. Benefactors are such as shall make a donation of not less than one thousand dollars. Patrons are such as shall found a Publication Fund sufficient to yield an income to pay for the annual publication of one book, and the series of publications thus founded shall be called by the name of the founder. Benefactors and Patrons shall enjoy all the privileges of members, without the payment of dues. Institution members shall enjoy all privileges of regular members except that of voting for officers and directors. Delinquency in any of the prescribed payments in this Article shall be reported by the Secretary to the Council, which shall determine such forfeitures of membership as it may decide upon.

ARTICLE II

The officers of the Society shall be an Honorary President, a President, a Vice-President, a Secretary, a Treasurer, and an Editor of Publications. There shall also be a Council, composed of the above named officers and twelve directors.

ARTICLE III

The officers and directors of the Society shall be elected annually from the members by a majority vote of the members voting. The

terms of officers shall be for one year. The term of directors shall be for three years. The directors shall consist of three classes of four each, known as directors of the first, the second, and the third class. The directors who will be serving their first year as directors will be known as directors of the first class; those serving their second year, as directors of the second class; those serving their third year, as directors of the third class. There shall be no restrictions as to the number of terms an officer or director may serve except that a President, or a Vice-President, or a director shall not serve more than two terms successively.

At least sixty days prior to the annual meeting, a Nominating Committee, which shall consist of the four directors of the second class and two other members of the Society appointed by the President (one of whom he will designate as chairman) will draw up a ballot of nominations. This ballot will present not more than two candidates for each of the offices: President, Vice-President, Secretary, Treasurer, Editor of Publications; and not more than eight candidates for directors of the first class.

Not more than five days after the ballot of nominations has been completed, the chairman of the Nominating Committee will submit this ballot to the Secretary. Not less than thirty days before the annual meeting the Secretary shall mail to each member of the Society entitled to vote one copy of the said ballot. Members will participate in the election by marking the ballot and returning it to the Secretary prior to the annual meeting. The chairman of the Nominating

Committee will announce, or have announced, the election results at the annual meeting. All officers shall retain office until the adjournment of the annual meeting at which the election of their successors has been announced.

ARTICLE IV

In the event of a vacancy in any office other than the presidency, the President shall have the power to appoint any member of the Society to the office for the unexpired term. In the event of a vacancy in the presidency the vacancy will be filled by the Council at a meeting which shall be called for that purpose by the Secretary.

ARTICLE V

The Society shall hold its annual meeting within the period commencing October first and ending December fifteenth, the day to be set each year by the Council. Special meetings of the Society may be called by the Council at a time and place and for the purpose designated in the call.

ARTICLE VI

The Council shall meet at least three times in every year and shall in the intervals between the meetings of the Society have entire control and management of the business and property thereof, including the admission of members of every kind. The Council shall have power of appointing an Executive Secretary; also the power to appoint Special Committees from its own members, and from the members of the Society. The Council shall not authorize the expenditure in any one year of a sum in excess of the total receipts for the preceding year. The Council shall not incur in any one year for any one purpose an expense in excess of two thousand dollars without the approval of a majority vote of the members of the Society present at the annual meeting.

ARTICLE VII

Fifteen members shall constitute a quorum at meetings of the Society, and five members of the Council at meetings of the Council. At the meetings of the Society and Council, the following shall be the order of business: (1) Reading the minutes of the proceedings of the last meeting, and at Society meetings a synopsis of the proceedings of all intermediate meetings of the Council. (2) Reports and communications from officers. (3) Reports of Standing and Special Committees. (4) Announcement of election results. (5) Reading of papers, delivery of addresses, and discussion thereon. (6) Miscellaneous business.

ARTICLE VIII

The President, or in his absence the Vice-President, shall, in addition to the usual duties of President, have a general executive direction of the business of the Society. The President shall be *ex-officio* a member of every Committee. The President, or in his absence the Vice-President, or in the absence of both President and Vice-President, a temporary chairman to be chosen by the members present and voting at the meeting, shall preside at all meetings of the Society and Council. Special meetings of the Council may be called by the President. The President, or in his absence the Vice-President, or in the absence of both President and Vice-President, a member of the Council designated by the Council, shall submit an annual written report to the Society of the year's work, and of the existing condition and of the future needs and prospects of the Society.

The Secretary shall conduct the correspondence of the Society and of the Council, and shall keep and file all communications received, and copies of all communications sent; shall record, in separate books, the proceedings of all meetings, benefactors, patrons, and con-

tributors, and of their places of residence, a list of all persons proposed for membership, and shall give notice of all meetings of the Society and Council, and perform all other duties pertaining to this office.

The Treasurer shall collect all dues and other moneys of the Society, and shall safely keep its funds in a bank approved by the Council, and no moneys shall be drawn, except upon the Treasurer's cheque and with the approval of another officer. He shall keep a true list of all pecuniary donations, gifts, legacies, moneys, securities and of all kinds of real and personal property, and shall account and report to the Council at each of its meetings and yearly to the Society.

ARTICLE IX

The standing committees of the Society shall be a Publications Committee and a Membership Committee.

ARTICLE X

The Publications Committee shall consist of the Editor of Publications and two other members appointed by the President. The term of each of the two members appointed by the President shall be two years, except that, of the two appointed in 1951 one shall serve for one year. There shall be no restrictions as to the number of terms a member of the committee may serve. It shall be the duty of the Publications Committee to select matter for publication by the Society and superintend the printing thereof. The publications shall be mailed or sent by the Secretary to each and every regular and life member who has paid his dues,

and to each benefactor and patron of the Society. Publications made at the cost of Publication Funds shall be issued according to the conditions of the donor of each Fund. The Council may, in its discretion, direct the printing of extra numbers of any work either for future members admitted or others interested in American history, who may subscribe for or desire to obtain the same.

ARTICLE XI

The Membership Committee shall have in addition to the President of the Society, six members chosen annually by the President. At least three new members must be chosen each year. No member may serve more than two years in succession. It shall be the duty of the Membership Committee to make recommendations to the Council for membership in the Society and to promote the achievement of the purpose of the Society.

ARTICLE XII

These By-Laws can be amended, repealed or suspended only at the regular meetings of the Society, by a vote of two-thirds of the members present; provided, a proposed amendment or repeal shall have been submitted, by the member offering it, to the Council previous to its introduction into the Society. The Council shall report the proposed amendment or repeal to the Society, with or without its approval. The Council shall send notice of the proposed amendment or repeal to each member of the Society at least thirty days before the holding of the annual meeting at which it is to be acted upon.

UNITED STATES CATHOLIC HISTORICAL SOCIETY

Honorary President

HIS EMINENCE FRANCIS CARDINAL SPELLMAN, D.D.
Archbishop of New York

President

LEO R. RYAN, PH.D.

Vice President

A. PAUL LEVACK, PH.D.

Treasurer

CHARLES H. RIDDER

Secretary

GEORGE B. FARGIS

Editor of Publications

JOHN J. MENG, PH.D.

Directors

(Term Expires 1951)

ALFRED B. CADLEY
REV. JOHN H. HARRINGTON
REV. JOSEPH N. MOODY, PH.D.
REV. BROTHER B. THOMAS,
F.S.C., PH.D.

(Term Expires 1952)

RT. REV. MSGR. PHILIP J.
FURLONG, PH.D.
A. PAUL LEVACK, PH.D.*
JOHN PERRY PRITCHETT, PH.D.
RICHARD REID, LITT.D.
REV. JOSEPH H. BRADY, D.D.,
PH.D.

(Term Expires 1953)

JOSEPH C. DRISCOLL
RT. REV. MSGR. THOMAS J. McMAHON, S.T.D.
JOHN J. MENG, PH.D.
ARTHUR F. J. REMY, PH.D.

*Dr. Brady was elected in 1950 to complete the unexpired term of Dr. Levack.

MEMBERS, 1950-51

Amend, William H.	Daly, M. A.
Barnes, John	D'Arcy, James F.
Barnwell, Rev. Robert J.	Dengler, Theobald J.
Barrett, Nicholas J.	Dinger, F. Sadlier
Beaudry, F. R.	Dore, Hon. Edward S.
Belsjoe, Miss Helen	Dougherty, Joseph P.
Bennett, Col. John J.	Driscoll, Mrs. John M.
Benziger, Bernard A.	Driscoll, Joseph C.
Benziger, Bruno	Duffy, James P. B.
Blust, Rev. Raymond E.	Duffy, Miss Marietta M.
Brady, Rev. Joseph H.	Durning, Harry M.
Bramer, John Philip	Dwight, John
Brennan, Miss Lucy A.	Edgerly, Miss Alice L.
Broderick, David C.	Ellis, Rev. John Tracy
Brosnan, John F.	Fargis, George B.
Browne, Rev. Henry J.	Farley, Hon. James A.
Byrne, Miss Harriet R.	Fitch, Miss Eleanor Sherman
Cadley, Alfred B.	Fitzgerald, James L.
Campbell, Francis P.	Fitzsimons, Frank P.
Capuchin Fathers, Mt. Calvary, Wisconsin	Flannelly, Most Rev. Joseph F.
Capuchin Fathers, New York, New York	Fletcher, Rev. William J., S.S.
Carleton, Mrs. Robert A. W.	Franciscan Fathers, Santa Bar- bara, California
Carley, Rev. Edward B., Jr.	Freund, Mrs. Otto
Carroll, P. A.	Fritz, Miss Rosina B.
Cawley, John P.	Furlong, Rt. Rev. Msgr. Philip J.
Clark, Mrs. Joseph V.	Gariepy, John R.
Code, Rev. Joseph B.	Garnier, Joseph
Collier, Mrs. Robert J.	Gillespie, George J.
Conger, Hon. Edward A.	Gilligan, William
Connor, Joseph P., Jr.	Glimm, Rev. F. X.
Connorton, Dr. John V.	Golden, Miss Josephine L.
Coogan, Miss Anita	Grady, W. E., Jr.
Cornelis, Edward J.	Grady, Walter L.
Costello, Rev. Charles A.	Grant, Miss Dorothy Fremont
Cox, Joseph A.	Green, Lawrence C.
Cuddihy, Arthur B.	Griffin, William V.
Cuddihy, R. J.	Haire, Andrew J.
Cullen, Rev. William J.	Halperin, Mrs. Mary
Cunneen, John J.	Harrington, James J.
Cunningham, S. Sterns	Harrington, Rev. John H.
D'Albora, Dr. John B.	Hauser, Alfred F.
	Hauser, Mrs. Alfred F.

Hayes, Edward F.
 Hayes, James V.
 Hayward, Dr. V. S.
 Heffernan, William J.
 Heide, Herman L.
 Heide, Rev. Herman L.
 Henderson, Mrs. Harold G.
 Hennessy, Miss Frances
 Herbermann, Charles G.
 Herbermann, Elizabeth P.
 Hicks, Rev. Harold E.
 Hodson, George L.
 Hoffman, Rev. Thomas A.
 Hogue, Robert L.
 Hoogstraet, R. W.
 Hughes, Mrs. Joseph E.
 Joliet, Mrs. A. L.
 Kavanagh, Dr. Vincent
 Keane, Dr. Willard T.
 Keller, Jacob L.
 Keller, Rev. William
 Kelly, John C.
 Kelly, Rev. Thomas J.
 Kelly, William J.
 Kenedy, Arthur Reid
 Kilroe, Edwin P.
 King, Miss Ethel
 King, Miss Olive
 Kingsland, Wallace M.
 Kinkead, Hon. Eugene F.
 Lagonegro, Harry J.
 Lee, Rev. Charles
 Levack, A. Paul
 Levins, Miss Julia Mary
 Linehan, Paul H.
 Magee, William J.
 Maher, James H.
 Maher, Jeremiah F.
 Mahoney, Jeremiah T.
 Mangan, John J.
 Matheson, Mrs. H. M.
 Meade, Miss Mary E.
 Mendes, Henry E.

Meng, John J.
 Molloy, Most Rev. Thomas E.
 Moody, John
 Moody, Rev. Joseph N.
 Moore, Rt. Rev. Msgr. Edward R.
 Moran, Edward L.
 Morris, Arthur J.
 Morrissey, Miss Elizabeth A.
 Morrissey, Michael A.
 Murphy, Thomas D.
 Murray, Thomas E.
 McCarten, John J.
 McCue, Thomas E.
 McDonald, Charles B.
 McDonald, George
 McDonnell, Most Rev. Thomas J.
 McEntegart, Miss Catherine J.
 McIntyre, Most Rev. J. Francis A.
 McLarney, Miss Alice
 McLaughlin, Rev. Lalor
 McMahan, Rt. Rev. Msgr.
 Thomas J.
 McNamara, Rev. Robert F.
 Naab, J. M.
 Nageleisen, Rev. J. A., P.R.
 Neilan, Mrs. William T.
 Niemeyer, Diederich J.
 Niemeyer, George J.
 Nugent, Rev. Arthur F.
 O'Brien, Rev. John E.
 O'Connor, Basil
 O'Connor, John J.
 O'Donnell, Rt. Rev. Msgr. John J.
 O'Flaherty, Rev. Patrick D.
 O'Grady, Henry J.
 O'Rourke, Miss Regina F.
 Parsons, Rev. Wilfrid, S.J.
 Paulmann, Fred H.
 Peppard, Miss Mary
 Peters, Miss Sally B.
 Phelan, J. H., K.S.G.
 Powers, Martin T.
 Pritchett, John Perry

- Provincial, Very Rev. Father,
 Society of Jesus, N. Y. Province
 Purtell, J. A.
 Quigley, Martin
 Quinn, Clement P.
 Redemptorist Fathers, The Archivist, Baltimore Province
 Redemptorist Fathers, Very Rev. Fr. Provincial, N. Y., N. Y.
 Reddy, Miss Lillian
 Reid, Richard
 Remy, Dr. Arthur F. J.
 Repp, Mrs. J. D.
 Ridder, Charles H.
 Riley, Mrs. Edward J.
 Rodriguez, Rev. Arnold L., O.F.M.
 Ross, T. J.
 Rushford, Rev. Martin Sidney
 Ryan, Frederick R.
 Ryan, Leo R.,
 Sansone, Peter A.
 Saul, Miss Agnes A.
 Scanlan, Rt. Rev. Msgr. Arthur J.
 Scott, Joseph
 Scudder, Frederick J.
 Selinka, Nicholas M.
 Serven, Isaac A.
 Sharp, Rev. John K.
 Shiels, Rev. W. Eugene, S.J.
 Smith, Thomas J.
 Smith, W. Russell
 Spellman, His Eminence Cardinal Francis J.
 Staib, Arthur
 Stephens, Francis Xavier, Jr.
 Talbot, Very Rev. F. X., S.J.
 Trew, Miss Frances L.
 Tubbs, Leonard G.
 Undreiner, Rev. George J.
 Valente, Mr. Justice Louis A.
 Verrette, Rev. Adrian
 Vincentia Guild, New York, N. Y.
 Walker, Rev. J. B., O.P.
 Weiler, Philip J.
 Whalen, Frank D.
 Wickham, Dr. George S.
 Wixted, William G.
 Wynne, Peter
 Zaplotnik, Rt. Rev. Msgr. John L.
 Zema, Ernest A.
 Zurmuhlen, Frederick H.

INSTITUTION MEMBERS

VATICAN LIBRARY

GREGORIAN UNIVERSITY, ROME

ALBERTUS MAGNUS COLLEGE, NEW HAVEN, CONNECTICUT

ALMA COLLEGE LIBRARY, ALMA, CALIFORNIA

BAKER MEMORIAL LIBRARY, DARTMOUTH COLLEGE, HANOVER,
NEW HAMPSHIRE

BOSTON COLLEGE HIGH SCHOOL LIBRARY, BOSTON, MASSA-
CHUSETTS

BOSTON COLLEGE LIBRARY, CHESTNUT HILL, MASSACHUSETTS

BOSTON PUBLIC LIBRARY, BOSTON, MASSACHUSETTS

BROOKLYN PREPARATORY SCHOOL, BROOKLYN, NEW YORK

BROOKLYN PREPARATORY SCHOOL, FACULTY LIBRARY, BROOKLYN,
NEW YORK

CALDWELL COLLEGE, CALDWELL, NEW JERSEY

CANISIUS COLLEGE LIBRARY, BUFFALO, NEW YORK

CATHEDRAL COLLEGE LIBRARY, NEW YORK, NEW YORK

CINCINNATI PUBLIC LIBRARY, CINCINNATI, OHIO

CLEVELAND PUBLIC LIBRARY, CLEVELAND, OHIO

COLUMBIA UNIVERSITY LIBRARY, NEW YORK, NEW YORK

COLLEGE NOTRE DAME OF MARYLAND, BALTIMORE

CONCEPTION COLLEGE LIBRARY, CONCEPTION, MISSOURI

DUKE UNIVERSITY LIBRARY, DURHAM, NORTH CAROLINA

DUNBARTON COLLEGE LIBRARY, WASHINGTON, D.C.

EMMANUEL COLLEGE LIBRARY, BOSTON, MASSACHUSETTS

FATHERS OF THE BLESSED SACRAMENT, NEW YORK, NEW YORK

FORDHAM UNIVERSITY LIBRARY, NEW YORK, NEW YORK

GEORGETOWN UNIVERSITY, WASHINGTON, D.C.

GONZAGA UNIVERSITY, SPOKANE, WASHINGTON

GOOD COUNSEL COLLEGE, WHITE PLAINS, NEW YORK

HARVARD COLLEGE LIBRARY, CAMBRIDGE, MASSACHUSETTS

HOLY CROSS COLLEGE, WORCESTER, MASSACHUSETTS

HOLY FAMILY CONVENT, MANITOWOC, WISCONSIN

IMMACULATA COLLEGE, IMMACULATA, PENNSYLVANIA

IMMACULATA JUNIOR COLLEGE, WASHINGTON, D.C.

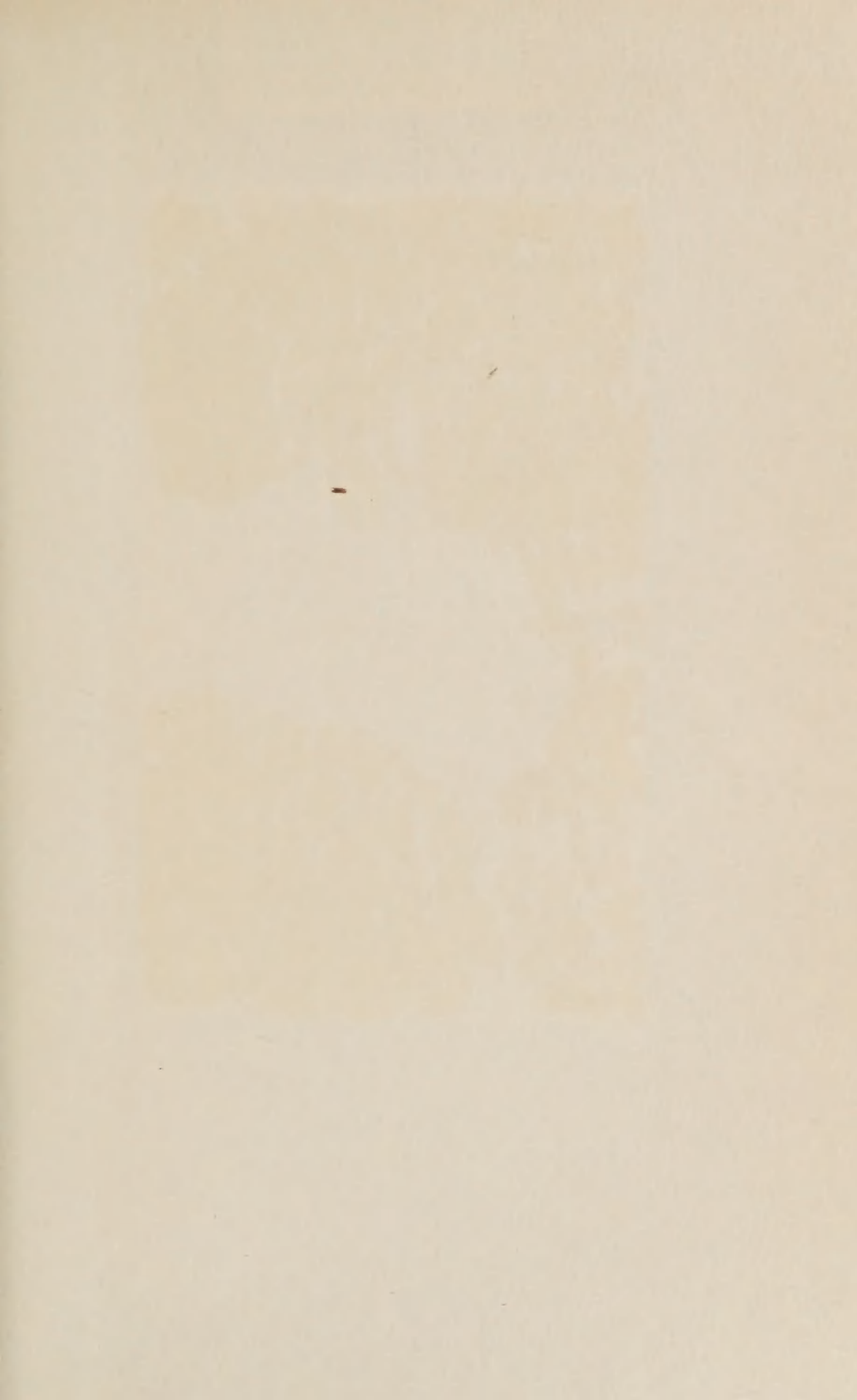
IMMACULATE CONCEPTION SEMINARY, DARLINGTON, NEW JERSEY

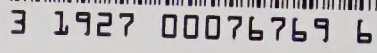
JOHN CARROLL UNIVERSITY, CLEVELAND, OHIO
JOINT UNIVERSITY LIBRARIES, NASHVILLE, TENNESSEE
KENRICK SEMINARY, ST. LOUIS, MISSOURI
LADYCLIFF COLLEGE, HIGHLAND FALLS, NEW YORK
LEHIGH UNIVERSITY, BETHLEHEM, PENNSYLVANIA
LORAS COLLEGE, DUBUQUE, IOWA
LOYOLA COLLEGE, BALTIMORE, MARYLAND
LOYOLA UNIVERSITY, CHICAGO, ILLINOIS
LOYOLA UNIVERSITY, NEW ORLEANS, LOUISIANA
LOYOLA UNIVERSITY OF LOS ANGELES, CALIFORNIA
MANHATTAN COLLEGE, NEW YORK, NEW YORK
MARIAN COLLEGE, INDIANAPOLIS, INDIANA
MARQUETTE UNIVERSITY, MILWAUKEE, WISCONSIN
MARYCREST COLLEGE LIBRARY, DAVENPORT, IOWA
MARYGROVE COLLEGE, DETROIT, MICHIGAN
MARYMOUNT COLLEGE LIBRARY, LOS ANGELES, CALIFORNIA
MILWAUKEE PUBLIC LIBRARY, MILWAUKEE, WISCONSIN
MINNESOTA HISTORICAL SOCIETY, ST. PAUL
MT. ST. JOSEPH COLLEGE, MT. ST. JOSEPH, OHIO
MT. ST. MARY COLLEGE, HOOKSETT, NEW HAMPSHIRE
MT. ST. MARY'S COLLEGE, EMMITSBURG, MARYLAND
MT. ST. SCHOLASTICA COLLEGE, ATCHISON, KANSAS
MT. ST. VINCENT ACADEMY, TUXEDO PARK, NEW YORK
MT. ST. VINCENT COLLEGE, NEW YORK, NEW YORK
MUNDELEIN COLLEGE, CHICAGO, ILLINOIS
NAZARETH COLLEGE, KALAMAZOO COUNTY, MICHIGAN
NAZARETH COLLEGE, ROCHESTER, NEW YORK
NEW ROCHELLE, COLLEGE OF, NEW YORK, NEW YORK
NEWS SERVICE, NATIONAL CATHOLIC WELFARE CONFERENCE,
WASHINGTON, D.C.
NEW YORK HISTORICAL SOCIETY, NEW YORK, NEW YORK
NEW YORK UNIVERSITY, NEW YORK, NEW YORK
OHIO STATE UNIVERSITY LIBRARY, COLUMBUS, OHIO
PRATT, ENOCH, FREE LIBRARY, BALTIMORE, MARYLAND
PRINCETON UNIVERSITY LIBRARY, PRINCETON, NEW JERSEY
PUBLIC LIBRARY, CIVIC CENTER, SAN FRANCISCO, CALIFORNIA
ROCKHURST COLLEGE, KANSAS CITY, MISSOURI

ROSARY COLLEGE, RIVER FOREST, ILLINOIS
ROSEMONT COLLEGE, ROSEMONT, PENNSYLVANIA
RUTGERS UNIVERSITY, NEW BRUNSWICK, NEW JERSEY
SACRED HEART SCHOOL OF EDUCATION, FALL RIVER, MASSACHUSETTS
SANTA CLARA UNIVERSITY, SANTA CLARA, CALIFORNIA
ST. ANDREW'S SEMINARY, ROCHESTER, NEW YORK
ST. BENEDICT'S COLLEGE, ATCHISON, KANSAS
ST. BERNARD'S COLLEGE, ST. BERNARD, ALABAMA
ST. BERNARD'S SEMINARY, ROCHESTER, NEW YORK
ST. BONAVENTURE COLLEGE, ST. BONAVENTURE, NEW YORK
ST. BRENDAN'S DIOCESAN HIGH SCHOOL, BROOKLYN, NEW YORK
ST. CHARLES COLLEGE, CATONSVILLE, MARYLAND
ST. ELIZABETH COLLEGE, CONVENT STATION, NEW JERSEY
ST. FRANCIS COLLEGE, BROOKLYN, NEW YORK
ST. FRANCIS SEMINARY, MILWAUKEE, WISCONSIN
ST. JOHN'S COLLEGE, CLEVELAND, OHIO
ST. JOHN'S SEMINARY, BRIGHTON, MASSACHUSETTS
ST. JOHN'S UNIVERSITY, BROOKLYN, NEW YORK
ST. JOHN'S UNIVERSITY, COLLEGEVILLE, MINNESOTA
ST. JOSEPH'S COLLEGE FOR WOMEN, BROOKLYN, NEW YORK
ST. JOSEPH'S SEMINARY, DUNWOODIE, NEW YORK
ST. JOSEPH'S SERAPHIC SEMINARY, CALICOON, NEW YORK
ST. LOUIS UNIVERSITY, ST. LOUIS, MISSOURI
ST. MARY'S ABBEY, NEWARK, NEW JERSEY
ST. MARY'S COLLEGE, HOLY CROSS, INDIANA
ST. MARY'S COLLEGE, ST. MARY'S, KANSAS
ST. MARY'S COLLEGE, ST. MARY'S COLLEGE, CALIFORNIA
ST. MARY OF THE LAKE SEMINARY, MUNDELEIN, ILLINOIS
ST. MARY OF THE WOODS, ST. MARY OF THE WOODS, INDIANA
ST. MARY'S SEMINARY, BALTIMORE, MARYLAND
ST. MEINRAD SEMINARY, ST. MEINRAD, INDIANA
ST. PATRICK'S SEMINARY, MENLO, CALIFORNIA
ST. PROCOPIUS COLLEGE, LISLE, ILLINOIS
ST. THOMAS AQUINAS CONVENT, BROOKLYN, NEW YORK
ST. THOMAS COLLEGE, ST. PAUL, MINNESOTA
SCHOLASTICATE LIBRARY, INISFADA, L. I.

SETON HALL UNIVERSITY, SOUTH ORANGE, NEW JERSEY
SIENA COLLEGE, LOUDONVILLE, NEW YORK
STATE HISTORICAL SOCIETY OF MISSOURI, COLUMBIA, MISSOURI
STATE HISTORICAL SOCIETY OF WISCONSIN, MADISON, WISCONSIN
STATE UNIVERSITY OF IOWA LIBRARY, IOWA CITY
SULPICIAN SEMINARY, WASHINGTON, D.C.
TEACHERS COLLEGE, THE ATHENAEUM, CINCINNATI, OHIO
THE COLLEGE OF ST. THERESA, KANSAS CITY, MISSOURI
THE ST. CATHERINE COLLEGE, ST. PAUL, MINNESOTA
THE ST. MARY COLLEGE, XAVIER, KANSAS
"THE SIGN", UNION CITY, NEW JERSEY
TRINITY COLLEGE, WASHINGTON, D.C.
THE UNIVERSITY OF CHICAGO LIBRARY, CHICAGO, ILLINOIS
UNIVERSITY OF DAYTON, ALBERT EMANUEL LIBRARY, DAYTON,
OHIO
UNIVERSITY OF DETROIT LIBRARY, DETROIT, MICHIGAN
UNIVERSITY OF ILLINOIS LIBRARY, URBANA, ILLINOIS
UNIVERSITY OF MICHIGAN LIBRARY, ANN ARBOR, MICHIGAN
UNIVERSITY OF MINNESOTA LIBRARY, MINNEAPOLIS, MINNESOTA
UNIVERSITY OF NOTRE DAME LIBRARY, SOUTH BEND, INDIANA
UNIVERSITY OF PENNSYLVANIA LIBRARY, PHILADELPHIA, PENN-
SYLVANIA
UNIVERSITY OF PORTLAND LIBRARY, PORTLAND, OREGON
UNIVERSITY OF SAN FRANCISCO LIBRARY, SAN FRANCISCO,
CALIFORNIA
UNIVERSITY OF VIRGINIA LIBRARY, CHARLOTTESVILLE, VIRGINIA
URSULINE COLLEGE FOR WOMEN, CLEVELAND, OHIO
VILLANOVA COLLEGE, VILLANOVA, PENNSYLVANIA
VITERBO COLLEGE, LA CROSSE, WISCONSIN
WEBSTER COLLEGE, WEBSTER GROVES, MISSOURI
WOODSTOCK COLLEGE LIBRARY, WOODSTOCK, MARYLAND
XAVIER COLLEGE LIBRARY, CINCINNATI, OHIO
XAVIER UNIVERSITY LIBRARY, NEW ORLEANS, LOUISIANA
YALE UNIVERSITY LIBRARY, NEW HAVEN, CONNECTICUT

THE HEFFERNAN PRESS
150 Fremont Street
Worcester, Mass.



[illegible]

DEMCO 38-296



